

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 3513 of 2017**

Balak Das Deshlahare, S/o. Noharu Ram Deshlahare, Aged About 21 Years, R/o. Village Bandhiyapara, Doundi, Police Station Doundi, District Balod, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through Station House Officer- Police Station Doundi, District Balod, Chhattisgarh.

**---- Respondent**

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For Applicant : Ms. Hamida Siddiqui, Advocate

For Respondent : Mr. Adil Minhaj, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**14.06.2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.07/2017 registered at Police Station- Doundi, District Balod (C.G.) for the offence punishable under Sections 363, 366(A), 376 of Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences.
2. As per the prosecution case, the applicant has enticed away the minor Girl from the lawful custody of her parents on 24.02.2017 and thereafter committed sexual intercourse, which was subsequently reported by the family members and both the applicant & victim were brought to the police. Thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that the victim was in love relation with the applicant and they have performed marriage and the victim herself has left the house and the

applicant has not enticed away the Girl. He further submits that false allegations have been attributed against the present applicant, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of the victim recorded under Section 161 & 164 of Cr.P.C. In the statement under Section 164, it is stated by the victim that she has performed marriage with the applicant. Considering the same and the facts & circumstances of the case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-  
**(Goutam Bhaduri)**  
Vacation Judge