

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3802 of 2017**

Santosh Giri Goswami S/o Radhe Giri Goswami, Aged About 42 Years (not mentioned in the bail rejection order) R/o Dharasiv, Police Station Pamgarh, Tahsil Janjgir, District Bilaspur (Now Janjgir-Champa), CG

**---- Applicant****Versus**

State Of Chhattisgarh through Station House Officer, Police Station Kotwali Korba (Police Chowki Rampur), Civil And Revenue District Korba, CG

**---- Respondent**


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| For applicant        | Mr. P.K. Patel, Adv. |
| For Respondent/State | Mr. Vinod Tekam, PL. |

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**Hon'ble Shri Justice Chandra Bhushan Bajpai****Order On Board****11-9-2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested on 21-4-2017 in connection with Crime No. 270/1996 registered in Out post Rampur, Kotwali, Distt. Korba (CG) for offence punishable under Section 365, 366 and 376 of the Indian Penal Code, 1860.
3. Learned counsel for the applicant submits that after investigation charge sheet has been filed against present applicant and one co-accused Netram which is presently pending before the Addl. Sessions Judge, Korba. Both were declared absconding on 25-4-1998 and permanent warrant of arrest was issued against both the accused persons. In compliance, the applicant was arrested on 21-4-2017. The present is the matter of consent. Prosecutrix

herself went along with the applicant. Trial may take some time. One co-accused is still absconding. Hence the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the arguments advanced on behalf of the applicant and submits that case diary is not available. He argued the matter on the basis of photocopy of the charge sheet shown by the learned counsel for the applicant.
5. Perused the entire matter. Also perused the copy of the charge sheet filed before the Court below.
6. The applicant has been arrested after 19 years of the incident. One co-accused is still absconding. On the basis of the facts surfaced in the charge sheet it appears that this is a matter of kidnapping for ransom of Rs. 1 lac. Also the way the prosecutrix was taken by the applicant, the co-accused and Phulkumari and further the minor prosecutrix was kept in different places and thereafter she was asked to go to Korba (CG) and the applicant and the co-accused left her mid way, on consideration of entire facts, I am not inclined to grant bail to the applicant.
7. Consequently, instant MCRC is dismissed.

**Sd/-**  
**(Chandra Bhushan Bajpai)**  
**Judge**