

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4558 of 2017**

Falit Tandon S/o Ramnaranyan Tandon, Aged About 28 Years R/o
Village Sendri, Police Station Bhatapara, District Baloda Bazar, CG.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police
Station Nandghat, District Bemetara, Chhattisgarh.

---- Respondent

For applicant	Mr. P.P. Sahu, Adv.
For Respondent/State	Mr. UNS Deo, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****2-11-2017**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no bail application is pending before any other court.
2. Counsel for the applicant produced the case diary of Crime No. 148/2017 registered in police station Nandghat, Distt. Bemetara (CG) for offence punishable under Sections 363, 366, 376 and 506 of the IPC.
3. In brief, prosecution story is that on 13-6-2017, the prosecutrix along with her girl friend was returning back from village Darri Chowki Maro to the house of grand father of the prosecutrix by bus. At Nandghat Busstand, present applicant Falit Tandan and co-accused Charandas Tandan took away the prosecutrix by enticing. Statement of the prosecutrix recorded under Section 161 of the Cr.P.C. reveals that the said applicant had taken away her from Nandghat busstand towards Sendari.
4. Tough in the statement of the prosecutrix taken by a member of CWC, there is no allegation against the applicant but as per the statement recorded under Section 164 of Cr.P.C. of the prosecutrix, she, present

applicant and co-accused Charandas Tandan went to Darri, present applicant threatened her that she must abscond with him otherwise, he will kill her.

5. Charge sheet has been filed. The applicant is in custody since 22-6-2017.
6. Arguments heard.
7. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he may be released on bail.
8. On the other hand, the State counsel opposed the bail application.
9. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
10. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge