

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6218 of 2017

Krishna Lehre S/o Pabit Ram Lehre, Aged About 30 Years R/o
Village Chikhalputti, Police Station And District Kondagaon
Chhattisgarh. **---Petitioner**

Versus

State of Chhattisgarh through the Police Station Chote Dongr,
Civil And Revenue District Narayanpur, Chhattisgarh.
--- Respondent

For the applicant	:	Mr. Vishnu Koshta, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.10.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 12/2014 registered at Police Station Chote Dongar, District Narayanpur (C.G) for the offences punishable u/ss 363, 366, 366A, 376, 371 read with section 34 of IPC and section 6 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a missing report was made by the mother of prosecutrix in May, 2014 that her daughter is missing. Subsequently, she was found in Orissa. It was revealed that she was enticed away by one Asha and the present applicant and was employed in a factory at Tamilnadu. Thereafter, she came in contact with one Balram and the said Balram had married her and out of the wedlock, a child was born.
3. Learned counsel for the applicant would submit that the

statement u/s 164 Cr.P.C., would be relevant wherein the victim has stated that she herself has married with Balram and no allegation can be attributed to the present applicant. He further submits that as the prosecutrix herself had joined a factory and thereafter married one Balram, therefore, no offence has been committed by this applicant. It is also submitted that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Perused the case diary and the statements of prosecutrix u/s 161 & 164 of Cr.P.C.
6. Considering the nature of allegations levelled against the applicant and the statements of prosecutrix and further considering the fact that the charge sheet has been filed and no further investigation is necessary, I am inclined to allow this bail application.
7. Accordingly, this application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**