

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5922 of 2017

Shailendra @ Sonu Baya S/o Laxminarayan Baya, Aged About 20
Years R/o Village Kugda, P.S. Kumhari, District Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Kumhari, District Durg, Chhattisgarh

---- Respondent

For applicant - Shri Amiyakant Tiwari, Advocate.
For Respondent/State –Shri Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

5/10/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.151/2017 registered in Police Station Kumhari, District Durg (C.G.) for offence punishable under sections 341, 342, 363, 366, 376 of IPC, 1860 and Section 6 of POCSO Act, 2012.
2. As per the prosecution case, a report was made by mother of the victim on 3/07/2017 that when she wanted to search her daughter she was found in a godown (byara) of the present applicant alongwith one Bhoj Banjare and one more person. Bhoj Banjare and the girl was inside when they saw mother of the girl they fled away, however applicant remained there. Subsequently, on enquiry it revealed that Bhoj Banjare one of the co-accused has committed sexual intercourse with the victim on the pretext of marriage.
3. Learned counsel for the applicant submits that against the applicant no offence is made out, only his byara was used as a meeting point for the girl and the boy and he has not committed any offence and the entire

allegations have been attributed to other co-accused Bhoj Banjare, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of mother of the victim, statement of the victim given to the Child Kalyan Samiti as also statement of the victim under section 164 of Cr.P.C. Considering the same, taking into nature of allegations against the applicant, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE