

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1849 of 2018

Gulshan Miri S/o Santosh Miri Aged About 20 Years R/o- Village- Boirdadar, Goverdhanpur Road, In Front Of Krishanvatika, Saripali, P.S. Chakardharnagar, Tahsil And District- Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer, Police Station Chakardharnagar, District- Raigarh, Chhattisgarh.

---- Respondent

For applicant - Shri Manoj Jaiswal, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

26/04/2018

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.257/2017 registered in Police Station Chakardharnanagar, District Raigarh (C.G.) for offence punishable under sections 363, 366, 376 of IPC and section 4, 6 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made by one Dukhi Ram Minj father of the victim that the applicant allured her daughter who is minor has taken away on the pretext of marriage and to provide job from the lawful custody of her parents. Thereafter, on the basis of mobile tower location girl was recovered from the possession of the applicant from Punjab.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, victim was major and she herself had gone alongwith the applicant, no offence has been committed by the applicant. He submits that no allegation of rape has been attributed in

statement under Section 164 of Cr.P.C., therefore the applicant may be released on bail.

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

5. Perused the statement of victim under section 164 and 161 of Cr.P.C. Considering the contradictory statement have been made by the victim, 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