

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.2362 of 2018

1. Kanhai S/o Taturam, aged about 45 years, R/o village Manka, Police Station Emaliya, Tahsil Damoh, District Damoh (M.P.).
2. Battu S/o Jeewan, aged about 45 years, R/o village Pani Pidhai, Police Station Tendukheda, Tahsil and District Damoh (M.P.).

---Applicants

Versus

State of Chhattisgarh, Through - Station House Officer, Police Station Patna, District Korea (C.G.).

---Respondent

For applicants	:	Shri Anil Gulati, Advocate.
For resp./State	:	Shri Ashutosh Pandey, Panel Lawyer.

Hon'ble Shri Justice P. Sam KoshyOrder on Board04/05/2018

1. The applicants has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.99/2017 registered at Police Station Patna, District Korea (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 6, 19, 21 of POCSO Act, 2012.
2. Present applicants are in jail since 09/03/2018.
3. The allegation against the present applicants as per the prosecution case is that, the main accused - Arjun in the instant case was having affair with the prosecutrix and on 22/04/2017 the said main accused is said to have eloped along with the prosecutrix and have gone to different places

and in the course they have also stayed in the house of the present two applicants.

4. The contention of the counsel for the applicants is that, except for the fact of providing shelter to the main accused – Arjun, there is no role played by the present applicants whatsoever and thus prayed for releasing the applicants on bail.

5. The State counsel on verification of the case diary does not dispute this fact.

6. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that, prima-facie, a strong case has been made out for grant of bail to the present applicants.

7. Accordingly, the application for grant of bail is allowed. It is ordered that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Trial Court. The applicants shall thereafter appear before the Trial Court on each and every date given by the said court.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit