

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.2357 of 2018

Chandrapratap S/o Buchelal Tandon, aged about 23 years, R/o village Pataidi, Post Pachpedi, Police Station Pachpedi, Tahsil Masturi, District Bilaspur (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through – The S.H.O., Police Station Pachpedi, District Bilaspur (C.G.).

---Respondent

For applicant	:	Shri Rahul Tamaskar, Advocate.
For resp./State	:	Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/05/2018

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.35/2018 registered at Police Station Pachpedi, Bilaspur (C.G.). for the offence punishable under Sections 363, 366-A, 34 of IPC.
2. Present applicant is in jail since 21/03/2018.
3. The allegation against the present applicant as per the prosecution case is that, the present applicant is said to have assisted the main accused – Narendra Tandon in kidnapping and abducting the minor girl on 20/03/2018.
4. The counsel for the applicant submits that, the only allegation against the present applicant is that the present applicant was found talking to the missing girl the previous day of the incident in the company of the co-

accused – Narendra Tandon. That, apart from the said submission, there is no other material available in the case diary with which the offence so alleged could have been charged against the present applicant. He further submits that the co-accused and the girl till date have not been recovered and thus prayed for releasing the applicant on bail.

5. The State counsel however opposing the bail application submits that perusal of the statement of the complainant – the father of the girl would show that the present applicant and the co-accused – Narendra Tandon were found talking to the girl the previous day of the incident and thus prayed for rejection of bail application.

6. Having heard the contentions put forth on either side and on perusal of record so also considering the fact that the co-accused – Narendra Tandon and the girl till date have not been recovered, this Court is of the opinion that prima-facie, a strong case has been made out for grant of bail to the present applicant.

7. Accordingly, the application for grant of bail is allowed. It is ordered that the applicant shall be released on bail on his 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 applicant shall thereafter appear before the Trial Court on each and every date given by the said court.

8. Certified copy today.

Sd/-
(P. Sam Koshy)
JUDGE