

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2862 of 2018**

Sheet Kumar Dewangan S/o Late Bholaram Dewangan, aged about 23 years, R/o Village – Paragaon, Police Station – Kobra, Tahsil Abhanpur, District Raipur (C.G.)

----Applicant**Versus**

The State of Chhattisgarh, through District Magistrate, District Kabirdham (C.G.)

---- Non-applicant

For Applicant	:	Mr. C. P. Lahre, Advocate.
For Respondent/State	:	Mr. Gary Mukhopadhyay, G. A.

Hon'ble Vacation Judge**Order On Board****25/05/18**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested and is in jail since 04.04.2018 in connection with Crime No. 139/2018, registered at Police Station- Kawardha, District Kabirdham (C.G.) for the offence punishable under Sections 363, 366 of the Indian Penal Code.
2. Case of the prosecution against the present applicant, in brief, is that the present applicant has forcefully abducted the prosecutrix and has taken her to different places without knowledge concerned of her parents.
3. Learned counsel for the applicant would submit that a plain reading of the statement of the prosecutrix under Section 164 itself would reveal that

the prosecutrix has voluntarily gone with the present applicant and that there was no force or pressure applied on the prosecutrix by the applicant for the alleged offence.

4. The said contention of the counsel for the applicant is not objected by the State counsel on the basis of the statement under Section 164 given by the prosecutrix.

5. Given the facts and circumstances of the case, this Court is of the opinion that strong case for grant of bail to the applicant is made out.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(P. Sam Koshy)

V. Judge