

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5981 of 2018

- Suraj Patel S/o Ramratan Aged About 19 Years R/o- Village Podi (S), Police Station- Sirgitti, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, P.S. Seepat, Civil And Revenue District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Yogeshwar Sharma, Advocate.
For Respondent/State	: Shri Sangharsh Pandey, Dy. GA.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

23/10/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 125/2018, registered at Police Station Seepat, Distt. Bilaspur (C.G.) for the offence punishable under Sections 363, 366, & 376 of the IPC and Sections 3 & 4 of the POCSO Act.
2. As per the prosecution story, on 05.05.2018, a report was lodged by the complainant Faguram Kewat grandfather(m) of the prosecutrix, wherein it was stated that on 01.05.2018, his granddaughter /prosecutrix a girl who is aged about 16 years abducted by the present applicant. On the basis of said complaint offence has been registered against the present applicant. During course of investigation prosecutrix has been recovered from the possession of the present applicant and he has been arrested on 03.06.2018.
3. Learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case, he further submits that there was a love relationship between

the prosecutrix and the applicant, prosecutrix left her house on her own will, at the time of incident she was aged more than 16 years, in her statement recorded under Section 164 of Cr.P.C., she has not stated anything against the present applicant. He further submits that the applicant is in custody since 03-06-2018 and trial will take some time, therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the fact and circumstances of the case, particularly, evidence collected by the prosecution and further considering the fact that at the time of incident prosecutrix was aged above 16 years, in her statement recorded under Section 164 of Cr.P.C., she has not stated anything against the present applicant, applicant is in custody since 03-06-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the trial court for his appearing before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)

Judge