

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6436 of 2018

- Manoj Kumar S/o Shri Rammu Das Bhaskar Aged About 23 Years R/o- Village Dayalpur, Thana- Lalpur, Civil And Revenue District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Lalpur, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondent

For Applicant	: Shri Sunil Sahu, Advocate
For Respondent/State	: Shri Avinash K.Mishra, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/09/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 227/2017 registered at police station Lalpur, District Mungeli (CG) for the offence punishable under Sections 363,366 & 376 IPC and Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

As per prosecution case, on 12.10.2017, mother of the prosecutrix lodged a report at police station Lalpur against unknown person that her daughter is missing and someone has abducted her. On the basis of the said report offence was registered under Section 363 IPC against unknown person and on 16.05.18, the police recovered the prosecutrix from the custody of the applicant.

Counsel for the applicant submits that the applicant and the prosecutrix have got married and after nine months of marriage the police had arrested. He submits that the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the fact that the applicant and the prosecutrix got married with the consent of the parents, I am inclined to release her on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 20,000/- with one surety in the like sum to the satisfaction of the concerned court for her appearance before it as and when directed, she shall be released on bail.

Sd/-
(Rajani Dubey)
Judge