

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3160 of 2020

- Bhuneshwar Ghritlahre S/o Santram Ghritlahre, Aged About 23 Years, R/o Village - Paragaon, Police Station - Gobra Nayapara, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through, Station House Officer, Police Station – Arjuni, Tehsil and District Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

----Non-applicant

For Applicant – Smt. Indira Tripathi, Advocate.

For Non-applicant/State – Shri Raveesh Verma, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-06-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 07-03-2020 in connection with Crime No.108/2020 registered at Police Station – Arjuni, Tehsil and District Dhamtari, Chhattisgarh for the offence under Section 363, 366 of the IPC and Section 8, 12 of POCSO Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against him. The victim of this case had willingly accompanied the applicant and stayed in his house on her own free will, which she has stated in her statement under Section 164 of the Cr.P.C. before the JMFC. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application and submits that the victim of this case is minor, therefore, any willingness on her part cannot be made a ground for grant of bail.
4. Heard learned counsel for the parties and perused the documents.

5. According to the prosecution case, it is alleged that this applicant had abducted the minor victim on pretext of marrying her and had kept in confinement in his place of residence.

6. Copy of the statement under Section 164 of the Cr.P.C. of the victim has been filed along with the application and after perusing the same I am of this view that it is a fit case for grant of bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge