

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4248 of 2020

- Shailendra Gautam @ Vicky, S/o. Vijendra Gautam, Aged about 35 years, R/o. Near Satbahiniya Mandir, Sarkanda, PS Sarkanda, Tahsil and District Bilaspur CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Civil Lines, Bilaspur district Bilaspur CG

---- Respondent

For Applicant	: Shri Rupesh Shrivastava, Advocate
For Respondent /State	: Shri Rahul Jha, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

17/08/2020

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. 151/2020 registered at police station Civil Lines, Bilaspur district Bilaspur (CG) for the offence punishable under Sections 363, 365, 294, 323 and 346 IPC.

As per prosecution case, report was lodged by the complainant alleging that her minor daughter is found missing. It is alleged that the applicant abducted the girl secretly from the lawful guardianship of her parents and took her to Odisha to his sister's house where she was kept for doing household work.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the main allegation is

against the co-accused. He further submits that the parents of the victim have no objection if the applicant is granted bail. Lastly, he submits that the applicant is in jail since 13.05.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore he may be released on bail.

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

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant and that the parents of the victim have no objection, I am inclined to release him on regular 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 in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge