

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 424 of 2021

- Nehrushanker S/o Dhumdas Khunte Aged About 22 Years By Caste Satnami, R/o Village Devarmal, Tahsil And Thana Sakti, District Janjgir Champa Chhattisgarh.,

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Nagarda, District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant	–	Mr. Parag Kotecha, Advocate
For State	-	Mr. R.K. Bhagat, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.09.2021

1. Apprehending arrest in connection with Crime No. 12/2021 registered in Police Station Nagarda Distt. Janjgir Champa (C.G.) for offence punishable under Sections 363, 34 of Indian Penal Code, the applicant has preferred this application under Section 438 of Cr.P.C. for grant of anticipatory bail.
2. As per the prosecution case, a report was made by one Geeta Sidar, the mother of the girl of aged about 13 years that one Sunil Satnami enties away the girl from the lawful custody of the parents wherein this applicant has aided and awaited for happening of the crime and allowed the other co-accused to flee away.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, there is nothing on record to show that this applicant has abeted or was a party to the crime, therefore the applicant may be extended benefit of anticipatory bail.
4. Learned State counsel opposes the prayer for grant of anticipatory bail.

5. The mother of the victim, who is present in person, would submit that she do not know the applicant's name and completely denied the allegation. When the allegation was explained to her in her language, she completely denied to have made any report against this applicant. Considering the nature of allegation and the submission of the victim's mother, this Court is inclined to release the applicant on bail. Accordingly, this anticipatory bail application is allowed.

6. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on furnishing a personal bond to a sum of Rs. 25,000/- with one surety each in the like sum to the satisfaction of the concerned investigating officer. The applicant shall also abide by the following conditions:

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Goutam Bhaduri)
Judge