

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7012 of 2021

Pankaj Ahirwar S/o Gopi Ahirwar Aged About 23 Years R/o Block No. 19, Room No. 15 Street No. 14 Hospital Area Bhilai District Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through - Station House Officer, Kotwali Thana Sector - 6, Bhilai, District Durg

---- Respondent

For applicant - Shri Shikhar Bhaktiyar, Advocate appears on behalf of Shri Anurag Jha, Advocate.

For Respondent/State – Shri Sanjay Pathak, PL.

For objector – Shri Aman Upadhyay, Advocate appears on behalf of Shri Curtis Collins, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

10/12/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.211/2018 registered in Police Station Kotwali, Thana Sector-6, Bhilai, District Durg (C.G.) for offence punishable under sections 363, 366, 376 of Indian Penal Code alongwith Section 3 and 4 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, missing report was lodged by father of the victim on 30/04/2018, subsequently she was recovered on 6/05/2018 from M.P., thereafter on 9/07/2021 the present applicant has been arrested. It is alleged that the present applicant enticed away the minor girl from the lawful custody of her parents.
3. Learned counsel for the applicant submits that the prosecutrix has been examined before the court and she has not supported the case of the prosecution, therefore the applicant may be released on bail.

4. Learned counsel for the prosecutrix/informant also submits that they have no objection to grant of bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the statement of the prosecutrix which is placed on record and no objection for grant of bail, this court is inclined to release the applicant on bail.

7. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE