

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7405 of 2021**

- Chetan Dhruv S/o. Shri Manharan Dhruv Aged About 20 Years  
Caste- Gond, R/o.- Village- Belar, P.S. Khallari, Tehsil And  
District - Mahasamund (Chhattisgarh)

**---- Applicant****Versus**

- State Of Chhattisgarh Through Station House Officer Patewa,  
District- Mahasamund (Chhattisgarh)

**---- Respondent**

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 For Applicant : Shri Rishi Sahu, Advocate  
 For respondent/State : Shri BP Banjare, Dy. Govt. Advocate  
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**Hon'ble Shri Justice N.K. Chandravanshi****Order On Board****12.11.2021.**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 19.8.2021 in connection with Crime No.206/2021 registered at Police Station Patewa Distt. Mahasamund (C.G.), for the offence punishable under Sections 363 & 366 of the Indian Penal Code, 1860 (for short 'IPC').

2. Brief facts of the case are that on 15.8.2021 the applicant allured victim/prosecutrix, who was minor at the time of the incident, abducted her on the pretext of marriage and took her to Raipur. On report, being lodged by the father of the victim/prosecutrix, present crime was registered under Section 363 IPC against unknown person. After recovery of the victim/prosecutrix from the possession of the applicant and after competition of

investigation, charge sheet under Sections 363 & 366 IPC has been filed against the applicant.

**3.** Learned counsel for the applicant submits that the applicant has been falsely implicated in this case, he has not committed the alleged crime, there is no criminal antecedent reported against the applicant. He would next submit that the applicant is a boy of 20 year old, he is in jail since 19.8.2021, charge sheet has been filed, he is the permanent resident of the address given, there is no chance of influencing any witnesses by him or his absconding and conclusion of the trial will take considerable time, hence the applicant may be enlarged on bail.

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

**5.** I have heard learned counsel for both parties, perused the case diary and the material available on record.

**6.** Considering the facts and circumstances of the case, nature and gravity of offence and also taking into consideration that the applicant is in jail since 19.8.2021, charge sheet has already been filed and there is no chance of tampering the evidence by the applicant and also he is the permanent resident of Distt. Mahasamund, I feel inclined to allow the bail application. Therefore, the application under Section 439 of the CrPC is allowed. The accused applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He

is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy as per rules.

**Sd/-**

**(N.K. Chandravanshi)**  
**JUDGE**

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