

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3620 of 2015

Santosh Chouhan, S/o Sanjay Chouhan, aged about 20 years, R/o Santnagar, Lalkhadan, Near Sonkar Kirana Shop, Villa Safar, Police Station Torwa, Tahsil and District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Basna, District Mahasamund (C.G.)

---- Non-applicant

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| For Applicant:     | Mr. Vikash Pradhan, Advocate.                |
| For Non-applicant: | Mr. Siddarth Rathore, Deputy Govt. Advocate. |

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Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/08/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.250/2014 {Special Criminal Case No.H-29/2015 pending in the Court of Special Judge under the Protection of Children from Sexual Offences Act (FTC), Mahasamund}, registered at Police Station Basna, Distt. Mahasamund, for the offence punishable under Sections 363, 366 of the IPC and 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 2-7-2014, the applicant kidnapped the minor prosecutrix and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. The victim has been examined before the trial Court, who has not supported the case of the prosecution. The applicant is in jail since 21-4-2015.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, statement of the victim before the Court, pre-trial detention of the applicant and the fact that trial is in progress, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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.

Sd/-  
(Sanjay K. Agrawal)  
Judge