

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5860 of 2015

Ravindra Jangdey S/o Rajkumar Jangdey Aged About 21 Years
R/o Aazad Nagar P.S. Aamanaka, Raipur Civil & Revenue Distt.
Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through P.S. - Aamanaka, Distt. Raipur
Chhattisgarh

---- Respondent

For Applicant	:-	Mr. Rakesh Thakur, Advocate
For Respondent /State	:-	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

23/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 24/2015, registered at Police Station – Aamanaka, District- Raipur (C.G.) for the offence punishable under Sections 363,366,376 of the IPC and Section 16, 17 of Prevention of Children from Sexual Offences Act, 2012.
2. As per prosecution case, on 27.01.2015 one Laxminaraya Patel has lodged the report against the unknown person intending that he has removed his daughter from the legal custody of the applicant. The police has registered the case against the applicant under section 363,366,376 of IPC and section 16, 17 of the Prevention of Children from Sexual Offences Act, and the applicant was arrested on 30.06.2015.
3. Counsel for the applicant submits that charge-sheet in this case has already been filed and according to the statement of the

prosecutrix she was herself went alongwith the applicant and was not enticed by the applicant. He further submits that the applicant is in jail since 30.06.2015, therefore, he prays that the applicant may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the statement made under section 164 of Cr.P.C. wherein prosecutrix has stated that she went alongwith the applicant and there has been physical relationship has been developed, considering the statement of the prosecutrix without any observation on merit, for the purpose of bail, this Court is of the opinion, that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

(Goutam Bhaduri)
Judge