

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4654 OF 2015**

Yogesh Jangde son of Jethuram Jangde aged about 18 years (student)
resident of village Charbhata, Thana Tendukona, Tahsil Bagbahara, Civil and
Revenue District Mahasamund (C.G.)

---Applicant

Versus

State of Chhattisgarh, through, Station House Officer Tendukona, Civil and
Revenue District Mahasamund (C.G.)

---Non-applicant

For Applicant	:	Mr. Punit Ruparel, Advocate
For Non-applicant	:	Mr. Qamarul Aziz, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/09/2015**

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. 49/2015, registered at Police Station Tendukona, District Mahasamund (C.G.), for the offence punishable under Sections 363, 366 of I.P.C. and Section 12 of Protection of Children from Sexual Offence Act, 2012.

2. Case of the prosecution, in brief, is that, applicant is said to have kidnapped the minor prosecutrix and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that prosecutrix has gone voluntarily with the applicant, which is apparent from her statement under Section 164 of the

Cr.P.C. He would lately submit that applicant is in jail since 17/05/2015, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant in offence in question and applicant is in jail since 17/05/2015, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE