

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 6326 of 2015**

1. Meetha Lal Jangde, S/o. Late Daryav Jangde, aged about 36 years, Presently working as Police Constable posted at P.S. Civil Lines, Bilaspur and Resident of Village – Machaha, P.S.- Pathariya, District – Mungeli (C.G.)

**----Applicant**

**Versus**

1. State Of Chhattisgarh, Through : Station House Officer, Police Station – Pendra, District – Bilaspur (Chhattisgarh)

**---- Respondent**

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| For Applicant        | : Mr. Devesh Chandra Verma, Advocate |
| For Respondent/State | : Mr. U.K.S. Chandel, Panel Lawyer   |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**07/12/2015**

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.181/2015, registered at Police Station – Pendra, District – Bilaspur (C.G.) for the offence punishable under Section 363, 366, 376(2)A of I.P.C. and Section 5(a) & 6 of Prevention of Children from Sexual Offence Act, 2012
2. Case of the prosecution, in brief, is that the applicant enticed the prosecutrix on the pretext of marriage and committed sexual intercourse.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that statement of the prosecutrix was recorded under Section 164, wherein,

she has not supported the case of the prosecution. He would further submit that applicant is in jail since 07.09.2015, therefore, the counsel prays that 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 appearing for the parties and perused the case diary.
6. I have gone through the statement recorded under Section 164 of Cr.P.C., which shows that the prosecutrix has not supported the case of the prosecution, without any observation on merits at this stage 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.
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 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 trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge