

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2433 of 2016

Sonsay, S/o. Bahadur Singh, aged about 45 years, R/o. Village-Ghurchawha,
Police Station Jhagrakhand, Civil and Revenue District-Korea (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police of Police
Station – Podi, District-Korea (C.G.)

---- Respondent

For Applicant : Mr. Anil Gulathi, Advocate

For Respondent/State : Mr. U.N.S. Deo, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/05/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.27/2016 registered at Police Station- Podi, District – Korea (C.G.) for the offence punishable under Section 363, 366, 376(2) (बला) of Indian Penal Code and Section 4, 5, 6, 9, 10, 19, 21 of Protection of Children from Sexual Offences Act, 2012.
2. As per case of the prosecution, the applicant is father of main accused Jaggu @ Jagdhari, who abducted the prosecutrix and kept her in the house owned by the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 15.02.2016, therefore, he may be enlarged on bail.
4. Learned State counsel would oppose the prayer for grant of bail.

5. It appears, the main offence is committed by Jaggu. The applicant has been roped because instead of persuading his son not to kept the prosecutrix in his house, he permitted him to stay the prosecutrix in his house. The applicant is in jail since 15.02.2016, charge-sheet has already been filed. Considering the nature of allegation against the applicant, this Court is inclined to release the applicant on 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.

Sd/-
(Prashant Kumar Mishra)
Vacation Judge