

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1801 of 2016**

Roshan Sahu, S/o Dilesh Sahu, aged about 19 years, R/o Village Baajul, Police Station Nawagarh, Civil and Revenue District Bemetara (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through : the Police Station Nawagarh, Civil and Revenue District Bemetara (C.G.)

-----Non-applicant

For Applicant: Mr. P.P. Sahu, Advocate.
For Non-applicant/State: Mrs. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****05/04/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 12/2016 registered at Police Station Nawagarh, District Bemetara (C.G.) for the offences punishable under Sections 363 & 366 of Indian Penal Code and Section 11(4) of Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution, in brief, is that on 12.01.2016 applicant kidnapped the minor complainant and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail

since 15.01.2016; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; role of the present applicant in the offence in question; further considering the statement of complainant recorded under Section 164 of the Code of Criminal Procedure and the fact that charge sheet has been filed; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Roshan Sahu** is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-