

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2489 of 2017

1. Umesh Vaishnaw S/o Late Shyam Lal Vaishnaw, Aged About 25 Years R/o Village Halahuli Police Station Kharsiya, Tahsil & District (Revenue & Civil) Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Police Station Bilaigarh, District (Revenue & Civil) Balodabazar Bhatapara Chhattisgarh

---- Respondent

For Petitioner
For Respondent/State

Shri Anand Kesharwani, Advocate
Shri Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/05/2017

1. Heard.
2. The applicant has preferred this application filed under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.8/2016 registered in Police Station Bilaigarh, District (Revenue & Civil) Balodabazar-Bhatapara (CG) for the offence punishable under Sections 363, 366 & 376 of the Indian Penal Code and Section 4 of the POCSO Act.
3. Although there is an allegation of abduction and commission of sexual intercourse with the prosecutrix, who is below 18 years of age on the date of incident, yet considering her statement in the

Court where she has turned hostile and refused to support the case of the prosecution and also considering the fact that the applicant is in detention since 25-1-2017, this Court is inclined to release him on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Vacation Judge
Prashant Kumar Mishra

Gowri