

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5865 of 2017

Ramlal Pando S/o Bahbal Ram Pando, Aged About 28 Years R/o Village Barhiyadad, Premnagar, Police Station Premnagar, District Surajpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Udaypur, Civil And Revenue District Sarguja, Chhattisgarh

---- Respondent

For Applicant : Mr. Dashrath Kushwaha, Advocate

For Respondent : Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

22/11/2017

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. 54/2017 registered at Police Station- Udaypur, District Sarguja (C.G.) for the offence punishable under Sections 363,366,376(2)(n),323,343,368, 115 of the IPC and section 5(L)/6, 17 of Protection of Children from Sexual Offences Act, 2012 and Section 3(2-5) (A) of the Scheduled Caste and Scheduled Tribe(Prevention of Atrocities Act)1989.
2. As per the prosecution case, one Sanjay Das who is the main accused committed crime against the prosecutrix. The said Sanjay Das was stayed in the house of the applicant.
3. Counsel for the applicant submits that there is no evidence constituting any criminal act against the applicant, therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, that the main accused of the case was staying in the house of the applicant, without further commenting anything on its merit, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.

Sd/-

(Ram Prasanna Sharma)
Judge

Santosh