

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6364 of 2017

- Yogesh Beldar S/o Shri Ashwani Beldar Aged About 19 Years R/o Beldar Sioni Kharora Police Station Kharora District Raipur Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Police Station Kharora , District Raipur Chhattisgarh.

---- Respondent

For Petitioner	:	Shri NN Roy, Advocate
For Respondent/State	:	Shri Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

27/11/2017

Heard.

2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.278/2016 registered at Police Station Kharora, District Raipur for the offence punishable under Section 376(2)(i), 506, 34 of IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution is that the applicant along with other co-accused committed rape on the prosecutrix, who is minor.
4. Learned counsel for the applicant submitted that the applicant has been falsely implicated in this case on account of political rivalry and the prosecutrix has now been examined before the trial Court, in which, she has clearly admitted that she never reported the name of the applicant and it was only upon being tutored by others, name of the applicant was involved in the alleged commission of offence.
5. On the other hand, learned State counsel opposed the prayer for grant of bail on the submission that the applicant alleged to have committed serious offence, therefore, he is not entitled to bail.
6. Taking into consideration the submission of learned counsel for the parties,

particularly taking into consideration the submission that the prosecutrix has been examined during trial and that the investigation is complete, charge sheet has been filed and the applicant is not likely to abscond or tamper with the prosecution witnesses, I am inclined to grant bail to the applicant.

7. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.25,000/- along with two local surety of the like amount to the satisfaction of the trial Court on the condition that he shall appear before the trial Court regularly on each and every date, unless exempted.

SD/-

(**Manindra Mohan Shrivastava**)

J U D G E