

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.6510 of 2017**

Ram Kumar Pal S/o Kalipath Pal, aged about 37 years, R/o Village Kervasheela Krishan Nagar, P.S. Ramanujganj, District-Balrampur-Ramanujganj (CG)

---Applicant

Versus

State of Chhattisgarh Through Police Station-Ramanujganj, District-Balrampur-Ramanujganj (CG)

---Non-applicant

For Applicant	:	Mr.A.K.Yadav, Advocate
For Non-applicant	:	Mr. P.K.Bhaduri, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/11/2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.146/2015, registered at Police Station-Ramanujganj, District-Balrampur-Ramanujganj (CG), for the offence punishable under Sections 376 & 120-B read with Section 34 of the IPC and Section 3 (2) (v) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

2. First bail application of the applicant has been dismissed as withdrawn vide order dated 6.4.2016.

3. Case of the prosecution, in brief, is that the present applicant Rampal committed sexual intercourse with a Scheduled Caste minor

prosecutrix on 3.10.2015 in conspiracy with co-accused Devmuni and thereby committed the aforesaid offence.

4. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in this case. He would further submit that the applicant is in jail since 7.10.2015. Charge-sheet has been filed and no useful purpose will be served by detaining him in jail.

5. On the other hand, learned State counsel would oppose the bail application.

6. I have heard learned counsel for the parties and perused the case diary.

7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, role of the present applicant, the fact that the applicant is in jail since 7.10.2015 and no useful purpose will be served by detaining him in jail, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.

8. It is therefore directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-

