

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 535 of 2018

- Trilok Chand Sahare S/o Yadu Ram Sahare, Aged About 29 Years, R/o 2 I/3B Type, Hospital Sector, Near Shiv Mandir, Rajrah, P. S. Rajrah, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Rajrah, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Non-applicant

For Applicant – Shri Prasoon Agrawal, Advocate.

For Non-applicant/State – Shri Sanjeev Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

25-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 26-09-2017 in connection with Crime No.115/17 registered at P.S. - Rajhara, District Balod, Chhattisgarh for the offence under Section 363, 376, 384, 323 of the IPC and Section 4, 5 and 6 of Prevention of Children from Sexual Offences Act, 2012.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 26-09-2017, trial against him is proceeded and the prosecutrix has been examined. Certified copy of the statement of the prosecutrix has been filed, according to which, she has made no statement against this applicant and for which she has been declared hostile by the prosecution. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, this applicant abducted the minor

prosecutrix and raped her and thereafter he also demanded money from her by way of extortion. Hence, this case.

6. On perusal of the case diary and also on perusal of certified copy of the deposition of the prosecutrix in this case, I am of this view that this applicant deserves to be granted regular bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge