

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 655 of 2018

- Mohd Rizwan S/o Mohd. Shakeel Aged About 22 Years R/o Nayapara, P.S.City Kotwali, Baloda Bazar, District Baloda Bazar Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station City Kotwali, Baloda Bazar, District Baloda Bazar Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Adil Minhaj, Advocate.
For Respondent/State	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

27/03/2018

1. This is the first 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.556/2017 registered at Police Station— City Kotwali, Baloda Bazar, District— Baloda Bazar(C.G.) for the offence punishable under Sections 456, 363 & 354-A of the Indian Penal Code and Section 8 of POCSO Act.
2. Learned counsel for the applicants submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 14.12.2017. The case is presently before the trial Court and the main witnesses in this case have turned hostile who have not supported the case of prosecution. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. The allegation against this applicant is this, that on the date of incident he forcibly entered into the house of minor victim of 11 years of age and then after abducting her he outraged her modesty.
6. Perused all the documents in the case diary and also perused certified copy of the statement of the victim herself and her parents, who have been declared hostile and not supported the case of prosecution. Looking to the development of things in the case against the applicant, I am of this opinion, that he should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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/-
(Rajendra Chandra Singh Samant)
Judge