

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1732 of 2018

- Pawan @ Kumar Sahu S/o Shri Manharan Sahu Aged About 31 Years
R/o Gram Rakse Thana Sahaspur Lohara Tah. Sahaspur Lohara, Distt.
Kabirdham Chhattisgarh, District : Kawardha (Kabirdham),
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Sahaspur Lohara District
Kabirdham Chhattisgarh, District : Kawardha (Kabirdham),
Chhattisgarh

---- Respondent

For Applicant : Mr. Anurag Dayal Shrivastava, Advocate.

For Respondent/State : Mr. Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

25/04/2018

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.277/2017, registered at Police Station- Sahaspur Lohara, District – Kabirdham(C.G.) for the offence punishable under Sections 366, 363 & 376 of the Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. No case is made out against this applicant. After completion of investigation, charge-sheet has been filed. Hence, it is prayed that he may be released 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. According to the case of prosecution, this applicant abducted the minor prosecutrix on 8.12.2017. A missing report as well as FIR was lodged by father of the prosecutrix on 9.12.2017. The prosecutrix was recovered from the possession of this applicant on 6.1.2018 thereafter on the basis of the statement given by her under Section 161 of CrPC offences have been registered against this applicant.
6. Perused the case diary specifically perused the statement under Section 164 of CrPC which speaks different story, for this reason, I am of this opinion that the applicant 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 her furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha