

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2433 of 2018

- Bablu @ Rambrikchha Toppo S/o Ramnath Toppo @ Ramlu Toppo Aged About 20 Years R/o- Village Mahuwadih, Uraonpara, Police Station Shankergarh, District- Balrampur, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Sitapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicant : Mr.Vivek Kumar Pandey, Advocate.
For Respondent : Mr. Ashok Swarnkar, Panel Lawyer.

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

10/05/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.116/2017, registered at Police Station– Sitapur, District– Surguja(C.G.) for the offence punishable under Sections 363, 366A, 376(2)(b) of Indian Penal Code (for short 'IPC') and Section 5 b/6,11,12 Protection of Children from Sexual Offence Act, 2012.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 23.2.2018. After completion of investigation, charge-sheet has been filed. No case is made out against this applicant according to the material present in the charge-sheet. 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 prosecution case, this applicant abducted the minor prosecutrix and had physical relation with her on number of occasions. After the recovery of prosecutrix, on the basis of the statement given by prosecutrix offence has been registered against this applicant.
6. Perused the contents of the case diary, on perusal of statement of prosecutrix under Section 164 of CrPC it appears that this is a fit case where 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 him 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 him appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge