

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2570 of 2018

- Sonu Kumar Saket S/o Premlal Aged About 22 Years Caste- Ghasiya, R/o- Village Siding Dafai Saja Pahad, P.S. Podi, District- Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Podi, District- Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

For Applicant	:	Mr. Shakti Raj Sinha, Advocate.
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

25/06/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.198/2016 registered at Police Station- Podi, District – Koriya(C.G.) for the offence punishable under Sections 363, 366, 368, 376(2)(n) 493 of the Indian Penal Code and Sections 5,6 & 17 of Protection of Children from Sexual Offences 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 11.4.2017. The trial against him is still pending and there is no likelihood of its conclusion in the near future. Hence, it is prayed that he may 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. According to prosecution case, this applicant abducted the minor prosecutrix on 15.12.2016 and took her to a place of Manendragarh, where he committed sexual intercourse with the minor prosecutrix which amounts to rape. Prosecutrix was recovered on 11.4.2017, after the lodging of missing report from the custody of the applicant. Hence, this case.
6. Considered on the material present in the case diary, it appears that there had been some love affair with the applicant and prosecutrix and the trial against the applicant in this case is getting delayed, for these reasons, I am of this view that applicant should be granted 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