

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Miscellaneous Criminal Case No. 2955 of 2018

Sanjay Yadav S/o Shri Siyaram Yadav, Aged about 22 years R/o Village- Karkepa, Police Station- Pasta, District- Balrampur- Ramanujganj (C.G.).

---- Applicant

Versus

State of Chhattisgarh through : the Station House Officer, Police Station- Pasta, District- Balrampur- Ramanujganj (C.G.)

---- Respondent

For Applicant	:	Mr. Rishi Rahul Soni, Advocate
For Respondent/State	:	Mr. Arun Sao, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/05/2018

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the Applicant, who has been arrested in connection with Crime No. 50/2017 registered at Police Station – Pasta, District- Balrampur (Chhattisgarh) for the offence punishable under Sections 363, 366, 450, 376 (2) (i) (n) of IPC and Section 5 (घ)/6 of the POCSO Act
2. Case of the prosecution, in brief, is that the present applicant is said to have abducted the prosecutrix and had been committing rape with the prosecutrix. Offence was registered and the applicant was taken into custody on 29/08/2017.
3. Learned Counsel for the Applicants submits that the applicant has been falsely implicated in the present case. He further submits that during the course of trial, the prosecutrix was examined, wherein she

has not supported the case of the prosecution and turned hostile. The applicant is innocent, therefore, he may be released on bail.

4. On the other hand, Learned Counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the records.
6. Considering the entire facts and circumstances of the case, particularly considering the statement made by the prosecutrix, this Court is of the opinion that present is a fit case to grant the bail to the applicant.
7. Accordingly, the bail application is 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 before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Vacation Judge