

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3147 of 2018

- Pratap Rajput S/o Jagram Rajput Aged About 30 Years R/o Village Bhathli, P. S. Pathariya, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Nandghat, District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vivek Sharma, Advocate.
For Respondent	:	Mr. N.K. Mehta, Panel Lawyer.

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

02/07/2018

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.329/2017 registered at Police Station- Nandghat, District – Bemetara(C.G.) for the offence punishable under Sections 363, 366(A) & 376 of the Indian Penal Code and Sections 4 & 6 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 26.10.2017. No case is made out against him according to the statement given by prosecutrix under Section 164 of CrPC. After

completion of investigation, charge-sheet has been filed. 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, the allegation against this applicant is this, that he abducted the minor prosecutrix of age 14 years and then committed the offence of rape with her. Hence, this case.
6. On perusing the statement of prosecutrix under Section 164 of CrPC, the argument on behalf of the applicant finds support, 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