

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 591 of 2018

- Aditya Vaishnav S/o Nandkishore Vaishnav Aged About 32 Years R/o- Tahsil Chowk Lormi, Ranigaon, P.S. Lormi, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Lormi, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondent

For Applicant : Mrs. Indira Tripathi, Advocate.

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

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

18/05/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.163/2018 registered at Police Station- Lormi, District – Mungeli(C.G.), for the offence punishable under Sections 363 & 366 of the Indian Penal Code, 1860.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against him. The prosecutrix given statement under Section 164 of CrPC according to which no case is made out against this applicant, hence, it is prayed that he may be released on regular bail.
3. Learned State counsel opposes the bail application and the submissions made in this respect.

4. Heard both the parties and perused the case diary.
5. According to the case against this applicant, it is alleged that he has abducted the minor prosecutrix for the purpose of subjecting her to illegal sexual intercourse. Subsequently the victim has appeared before the Police Officer and given her statement.
6. Perused the statement under Section 164 of CrPC which is present in the case diary in which the victim has narrated the different story. Looking to that, I am of this view that this is a fit case where applicant should be granted regular bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of

the trial.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha