

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4663 of 2018**

- Lakeshwar Bareth S/o Late Jagdish Bareth, Aged About 24 Years, R/o- Khokhra Ward No.2 Veersagar Mohalla, Police Station Akaltara, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through- District Magistrate Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

**----Non-applicant**

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For Applicant – Shri Vivek Singhal, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**24-07-2018**

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 09-02-2018 in connection with Crime No.114/2017 registered at P.S. - Akaltara, District : Janjgir-Champa, Chhattisgarh for the offence under Section 363, 366 of the IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012, in optional Section 376 2(I)(N) of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 09-02-2018. No case is made out against him. The prosecutrix has been examined before the trial Court and she has not supported the prosecution case. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, the minor prosecutrix was abducted by this applicant and was taken to State of Jammu and Kashmir where he

exploited her sexually on a number of occasions.

6. Considered on the material present in the case diary and also perused certified copy of the deposition of the prosecutrix before the trial Court in which she has not made any statement against this applicant, because of which, she has been declared hostile by the prosecution. Hence, looking to this change of circumstance, I feel inclined to grant regular bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby 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 as and when directed.

8. Certified copy as per rules.

Sd/-

**(Rajendra Chandra Singh Samant)**  
**Judge**