

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4571 of 2018**

- Rupendra Kumar @ Chhotu Kenwat S/o Vishwanath Kenwat Aged About 19 Years R/o- Village Vijaypur, O.P. Junapara, P.S. Takhatpur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- The Police Station City Kotwali, Mungeli, District- Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Respondent

For Applicants	: Mr. Rakesh Thakur, Advocate
For State/respondent	: Mr. Anant Bajpai, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****17/07/2018**

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.105/2018, registered at Police Station-Citi Kotwali, Mungeli, District-Mungeli(C.G.) for the offence punishable under Sections 363, 366, 376, 34 of the Indian Penal Code, (Section 4 of the Protection of Children from Sexual Offences Act, 2012 has been added in the charge-sheet).

2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. He is in jail since 20.2.2018. No case is made out against him according to the statement given by prosecutrix recorded under Section 164 of CrPC, hence, it is prayed that he may be enlarged on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to prosecution case, this applicant abducted the minor prosecutrix and took her to different places and committed the offence of rape with her. Hence, this case.
6. After considering on all the material present in the case diary and also perused the statement given by prosecutrix under Section 164 of CrPC , I am of this view that this is a fit case where the applicant should be released on bail during the pendency of the case against him.
7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicants 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge