

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4761 of 2018

- Kundan Rajani S/o Makhan Rajani, Aged About 19 Years, R/o Aawanti Vihar Kavita Nagar, Near Ashtha School Housing Board Quarter No. M.I.G. 09, in front of Krishna Agrawal House, Raipur, P.S. Telibandha, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Shri Arvind Dubey, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. His first bail application for grant of regular bail was dismissed as withdrawn with liberty to revive the same after two months. The applicant has been arrested on 05-10-2017 in connection with Crime No.561/2017 registered at P.S. -Kotwali Durg, District- Durg, Chhattisgarh for the offence under Section 363, 342, 384, 354(D) & 34 of the IPC and Section 11(iv)(v)/12 & Section 17 of Protection of Children from Sexual Offences Act, 2012.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 05-10-2017. No case is made out against this applicant. 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. The allegation against this applicant is this that the applicant and the

victim were acquainted with each other and the applicant had obtained some photographs of the victim in his mobile phone, he used to threaten and extort the prosecutrix. On 06-08-2017 the prosecutrix went missing and she was recovered on the same day from the house of the applicant. The FIR has been lodged by father of the prosecutrix on 11-08-2017. Hence, this case.

6. It is stated by learned counsel for the applicant that the applicant was arrested in previous Crime No.197/2017 registered against him on 27-07-2017 and he was not present at the time of incident which occurred on 06-08-2017. After due consideration on each and every material present in the case diary, 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