

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4786 of 2018**

Avinash Lakda, S/o. Iliyas Lakda, Aged About 20 Years, Caste- Uraon, Occupation Education, R/o- Village Bulsikala, P.S. And Tahsil Kusmi, District- Balrampur-Ramanujganj.

---- Applicant**Versus**

State Of Chhattisgarh, Through- The Station House Officer, Police Station Shankargarh, District- Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Jitendra Shrivastava, Advocate
For Respondent	:	Mr. Ashok Swarnakar, Panel Lawyer

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 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 46/2018, registered at Police Station- Shankargarh, District – Balrampur – Ramanujganj (C.G.) for the offence punishable under Section 363, 366 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 29.05.2018. No case is made out on the basis of the material present in the case diary. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for the parties and perused the documents placed on record.

5. According to the prosecution case, the applicant abducted the minor prosecutrix with intention to subject her to immoral sexual relationship. Hence, this case.
6. Considered the submissions made and the contents of the case diary. After considering on all the material present in the case diary, the statement of the prosecutrix recorded under Section 164 of Cr.P.C. makes a different case in favour of this applicant, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge