

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5486 of 2018**

Virendra Singh S/o Santosh Singh Kanwar, aged about 24 years, R/o Village-  
Amera Tikara, Police Station- Gaurela (correct P.S. is Marwahi), District-  
Bilaspur (C.G.).

**--- Applicant**

**Versus**

State of Chhattisgarh, Through police Station- Gaurela, District- Bilaspur (C.G.).

**---- Respondent**

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| For Applicant  | : | Mr. Abhishek Pandey, Advocate |
| For Respondent | : | Mr. U.K.S. Chandel, PL        |

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Hon'ble Shri Justice Arvind Singh Chandel

**Order on Board**

**24/08/2018**

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 75/2018 registered at Police Station- Gaurela, District- Bilaspur (C.G.) for the offence punishable under Sections 363, 366, 376 read with 34 of the IPC and Section 4, 6 & 16 of the POCSO Act.
2. As per prosecution story on 26/03/2018, the prosecutrix, a girl aged about 16 years was abducted by co-accused Rajkumar and they went to Goa. They stayed for considerable time there. The allegation against the present applicant is that he accompanied with them. It was further alleged that in Goa co-accused Rajkumar committed sexual intercourse with the prosecutrix. On the basis of complaint, offence was registered and the applicant was arrested on 07/04/2018.

3. Learned counsel for the applicant submits that there was love relation between the prosecutrix and co-accused- Rajkumar. The only allegation against the present applicant is that he accompanied his friend, Rajkumar and the prosecutrix up to Goa. Apart from that, no allegation has been made against the present applicant. He further submits that the applicant is in custody since 07/04/2018, charge-sheet has been filed and the trial will likely to take some time, therefore, the applicant may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly that the main accused is Rajkumar and the allegation against the present applicant is only that he accompanied co-accused Rajkumar and the prosecutrix up to Goa, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-  
**Judge**  
**Arvind Singh Chandel**