

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC No. 6616 of 2018**

Pradyuman Kumar Sahu @ Padum Kumar, S/o Kunwar Lal Sahu  
 Aged About 20 Years, R/o Village - Parsada, Police Station - Tilda,  
 District : Raipur, Chhattisgarh

---- Applicant

**Versus**

State of Chhattisgarh, Through - Station House Officer, Police  
 Station Kukdur, District - Kabirdham, Chhattisgarh

---- Respondent

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| For Applicant.  | : | Shri Dharmesh Shrivastava, Advocate. |
| For Respondent. | : | Shri Sameer Behar, PL                |

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**Hon'ble Smt. Justice Rajani Dubey**  
**Order on Board**

**06/10/2018**

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 23.06.2018 in connection with Crime No.57/2018 registered at Police Station : Kukdur, District - Kabirdham (C.G.) for the offence punishable under Sections 363, 366 and 376 of the IPC, Sections 4, 5 and 6 of the POCSO Act and Section 3(2)(V-a) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. As per the prosecution case, on 22.06.2018 an FIR has been lodged by the mother of the prosecutrix, who is a minor girl aged about 15 years one month 29 days, alleging in it that on 21.06.2018 the prosecutrix was kidnapped by some unknown persons. During investigation, on 23.06.2018, the prosecutrix was recovered from the possession of the other co-accused.

Based on this, the offence was registered against the applicant and he is in custody since 23.06.2018.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further argued that there is no legally admissible evidence against the present applicant. He further submitted that the applicant is in custody since 23.06.2018, charge-sheet has been filed and trial will take some more time, therefore, he may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and the fact that the applicant is in custody since 23.06.2018, charge-sheet has been already filed, trial will take some more time, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the 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. 25,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the Trial Court as and when directed.

**Sd/-**  
**(Rajani Dubey)**  
Judge