

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6713 of 2018**

Pramod Kumar Gupta, S/o Chhote Lal Gupta, Aged About 21 Years,
R/o Village Sundari, Chouki Amwar, Thana - Duddhi, District :
Sonbhadra, Uttar Pradesh

---- Applicant**Versus**

State of Chhattisgarh, Through, Police Station - Sanaval, District-
Balrampur- Ramanujganj, Chhattisgarh

---- Respondent

For Applicant. : Shri Akath Kumar Yadav, Advocate.
For Respondent. : Shri Ashutosh Pandey, PL for State

Hon'ble Smt. Justice Rajani Dubey
Order on Board

10/10/2018

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 arrested in connection with Crime No.35/2018 registered at Police Station : Balrampur - Ramanujganj, (C.G.) for the offence punishable under Sections 363, 366, 328 and 506 read with Section 34 of the IPC and Section 17 of the POCSO Act.
2. As per the prosecution case, on 05.06.2018 at about 12:00 o'clock the applicant along with the other co-accused came near the house of the prosecutrix and administered sweet containing intoxicated substance, as a result of which, she became unconscious thereafter, they abducted her and taken to the Banaras. During investigation, the prosecutrix was

recovered from the possession of the applicants. Based on this, the offence has been registered against the applicant and co-accused. The present applicant is in custody since 11.06.2018.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He further submitted that the applicant is in custody since 11.06.2018, 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 11.06.2018, charge-sheet has already been filed, trial will take some more time and the matter is triable by Additional Sessions Judge, Ramanujganj - District - Balrampur, 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