

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7755 of 2018

- Ramprasad Tandon S/o Anjor Das Tandon Aged About 21 Years R/o Village Paraswani Polic Station Palari District (Revenue And Civil) -Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Palari District (Revenue And Civil) Balodabazar Bhatapara, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant	: Mr. Sanjeev Das, Advocate
For State/respondent	: Mr. N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

31/10/2018

1. This is the second bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973. His first application was dismissed as withdrawn.
2. This bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.191/2018 registered at Police-Station-Palari, District(Revenue & Civil)-Raipur(C.G.) for the offence punishable under Sections 376, 506 of the Indian Penal Code and Section 04 of POCSO Act.

3. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 13.4.2018. No case is made out against him. The prosecutrix has examined herself before the trial Court in which she has not supported the prosecution case. Hence, it is prayed that he may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. The case against this applicant is this, that minor prosecutrix aged about 17 years was raped by this applicant and thereafter she was also threatened by this applicant with intention that the prosecutrix does not disclose this incident to anybody. Hence, this case.
7. After perusal of the certified copies of the deposition of the prosecutrix before the trial Court, I am of the view that this is a fit case where applicant should be released on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. are allowed. It is directed that 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge