

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7329 of 2018

- Ravindra @ Naanhu S/o Lal Sai, aged about 20 Years R/o Village -Gumgara Kala P. S.- Lakhanpur, District -Surguja, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, P. S. -Udaipur, District – Surguja, Chhattisgarh.

---- Respondent

For Applicant	: Shri Nishikant, Advocate.
For Respondent/State	: Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

31/10/2018

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 39/2018, registered at Police Station – Udaipur, District – Surguja, Chhattisgarh, for the offence punishable under Sections 363, 366, 343 of IPC and 5 (L)/6 of POCSO Act.
2. As per the prosecution story, on 05.04.2018, prosecutrix, who is a girl aged about 15 years, lodged a report against the Applicant wherein it was stated that on 24.03.2018, when the prosecutrix went to see a fair with her sister, the Applicant abducted the prosecutrix on the pretext of marriage and thereafter the Applicant kept her at the jungle for three days and committed sexual intercourse with her. On the basis of the report, offence has been registered against the Applicant and was taken into custody on 08.04.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He

further submits that the prosecutrix in her court statement has not supported the case of the prosecution and turned hostile. Applicant is in custody since 08.04.2018 and trial will take some time. Therefore, he 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 the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that prosecutrix in her court statement has not supported the case of the prosecution and turned hostile, the Applicant is in custody since 03.07.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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 solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge