

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7362 of 2018**

Ajay @ Vikram Ratre S/o Budhari Ratre Aged About 19 Years R/o- Indira Awas Para, Masturi, Police Station- Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station- Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri C.R. Sahu, Advocate.
For the Respondent/State : Ms. Madhunisha Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****12.11.2018**

Heard.

1. This is the third bail application of the applicant. Earlier two bail applications of the applicant have been dismissed as withdrawn. The applicant has been arrested in connection with Crime No.449 of 2017, registered at Police Station – Masturi, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 363, 366 and 376/ 34 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 10.11.2017 and has been falsely implicated in this case. As per the counsel for the applicant, the recent development that has taken place is that the prosecutrix has been examined before the trial Court and she has not

supported the case of the prosecution and the certified copy of the deposition of the prosecutrix has been filed alongwith for perusal of this Court. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. It is alleged that the applicant abducted the minor prosecutrix aged about 17 years and took her to Phoolpur in Uttar Pradesh where he established physical relation with her on number of occasions till the prosecutrix was recovered from his custody. Hence, this case.

6. After perusing the certified copy of the deposition of the prosecutrix and the material present in the case-diary, I feel inclined to grant regular bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi