

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7616 of 2018**

Sanjay Chaturvedi, S/o. Late Bhagatram Chaturvedi, Aged About 45 Years,
R/o. Village- Taktoiya, P.S.- Kukdur, District- Kawardha (Kabhirdham)
Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh, Through : Station House Officer Police Station- Pali,
District- Korba, Chhattisgarh.

----- Respondent

For Applicant : Mr. Ishwar Jaiswal, Advocate
For Respondent : Mr. Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****02/11/2018**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.116/2018, registered at Police Station- Pali, District – Korba (C.G.) for the offence punishable under Section 363, 366, 376 of the Indian Penal Code and Section 04 of Protection of Children from Sexual Offences Act, 2012. First bail application was dismissed for want of prosecution vide order dated 04.05.2018 in M.Cr.C. No.1736 of 2018.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The prosecutrix is major lady and she

had been a consenting party. Hence, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. It is alleged that this applicant abducted the minor prosecutrix and committed the offence of rape. Hence, this case.
6. The prosecutrix has been examined before the trial Court. Certified copy of the deposition has been produced along with this application. On perusal of the statement it appears that she has declared herself to be age of 20 years and made statement in favour of the applicant, hence after due consideration, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Certified copy tomorrow.

Sd/-
(Rajendra Chandra Singh Samant)
Judge