

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 255 of 2018**

Chhabiram Verma, S/o. Hem Singh Verma, Aged About 28 Years, R/o. Village Kanki, Police Station Tilda, District Raipur Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For Applicant : Mr. Vipin Singh, Advocate

For State/respondent : Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****14/03/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.285/2017, registered at Police Station – Bemetara, District – Bemetara (C.G.), for the offence punishable under Section 363, 366, 368 and 376 of the Indian Penal Code and Section 5 (घ), 6 of Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case only for the reason that the main accused found shelter in the house of this applicant. Applicant is not connected with any of the offence of abduction and

rape. Similarly placed co-accused has been enlarged on bail by the Coordinate Bench of this Court in M.Cr.C. NO.4836/2017 order dated 20.11.2017. Therefore, the counsel prays that the applicant may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, it is alleged that main accused Pradeep Verma abducted the minor prosecutrix and thereafter, he brought her to the house of this applicant and both of them stayed there for a number of days, during which, the main accused committed offence of rape with the prosecutrix. Father of the prosecutrix lodged FIR, hence, this case.
6. Considered on the submissions made and the contents of the case diary. Considering the material present in the case diary, the role played by this applicant and further looking to the fact that similarly placed co-accused person in this case has been enlarged on bail by the Coordinate Bench of this Court, 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 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram