

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 1986 of 2019**

Pappu Saket S/o Late Chhotelal Saket Aged About 20 Years R/o Nawatola,  
Police Station- Chandni, District- Surajpur, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through Station House Officer, Police Station-  
Chandni, District- Surajpur, Chhattisgarh.

**---- Respondent**


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For the Applicant : Shri Anil Gulati, Advocate.  
For the Respondent/State : Shri Aditya Sharma, P.L.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****29.07.2019**

Heard.

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.70 of 2018, registered at Police Station – Chandni, District – Surajpur, Chhattisgarh for the offence punishable under Sections 376(क)(2), 294, 506, 323, 450 and 417 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 28.12.2018 and has been falsely implicated in this case. The applicant has not committed any offence. The prosecutrix has been examined before the trial Court and she has not supported the case of the prosecution.

Hence, for these reasons, 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. It is submitted that the age of the prosecutrix on the date of incident was nearly 14 years. Hence, the applicant is not entitled for grant of bail.

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

5. According to the prosecution case, this applicant allured the minor prosecutrix with a promise to marry her and has exploited her sexually on numerous occasions after committing house trespass and by putting her under threat and also by beating her. Hence, this case.

6. After considering the material present in the case-diary and also perusing the certified copy of the deposition of the prosecutrix which is filed alongwith the application discloses that the prosecutrix has not supported the case of the prosecution and further, her father has also been examined and according to his deposition, he has also not supported the prosecution case. Hence, looking to this development, I feel inclined to grant 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 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