

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2354 of 2019

Ali Ahmad, S/o. Late Ameer Vax, Aged About 24 Years, R/o. Tripureshwarpur (Dagmala), Police Station- Ramanujnagar, District Surajpur Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh, Through : The Station House Officer, Police Station Ramnujnagar, District Surajpur Chhattisgarh.

---- Respondent

For Applicant	: Ms. Laxmeen Kashyap, Advocate
For Respondent/State	: Mr. Lav Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

08/07/2019

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.09/2019, registered at Police Station –Ramanujnagar, District – Surajpur (C.G.) for the offence punishable under Section 363, 366, 376 (3) of Indian Penal Code & Section 4 and 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. The prosecutrix, her parents and other witnesses have been examined before the trial Court and none of the witnesses have supported the prosecution case. Therefore, it is prayed that the applicant be granted regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions 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, the applicant abducted the minor prosecutrix and then keeping her in confinement, he has exploited her sexually. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. On perusal of the certified copy of the deposition of the prosecutrix herself, her parents and other witnesses that are filed along with the bail application, it appears that all the witnesses have turned hostile and not at all supported the prosecution case, therefore, looking to this development in the trial against the applicant, 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