

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2363 of 2019

Aazim Qadir Beg, S/o. Qadir Beg, Aged About 21 Years, R/o. Amrawati Road, Vasantara Nayik Jhopadpatti Chamaar Gali Near Second Pole, Police Station- Sita Bardee, Nagpur, Maharashtra.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station- Chaawni, District- Durg, Chhattisgarh. (Not Mentioned In Order Impugned).

---- Respondent

For Applicant : Ms. Priya Mishra, Advocate

For Respondent/State : Mr. Lav Sharma, P.L.

Complainant present in person.

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.682/2018, registered at Police Station –Chhawani, District – Durg (C.G.) for the offence punishable under Section 363, 366, 376 of Indian Penal Code & Section 5 (घ) 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 has been examined before the trial Court and she has been declared hostile witness for not supporting the prosecution case. Therefore, under these circumstances, 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. Complainant is present in person before this Court, who has been identified by the counsel for the applicant and has made statement before this Court that she has no objection in grant of bail to the applicant.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, the applicant allured the minor prosecutrix with false promise to marry her and then abducted her and exploited her sexually. Hence, this case.
7. Considered on the submissions made and the contents of the case diary. After considering the development in the trial after examination of the prosecutrix, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
9. 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