

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3504 of 2019

Pravej Aalam, S/o. Tasraf Ansari, Aged About 17 Years 10 Month, R/o. Imlipara, Mahaveerganj, Police Chowki- Vijaynagar, Police Station- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Mr. A.K. Yadav, Advocate
For Respondent/State	: Mr. Shubhash Yadav, Dy.G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

05/07/2019

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.39/2018, registered at Police Station –Ramanujganj, District – Balrampur- Ramanujganj (C.G.) for the offence punishable under Section 363, 366, 376 (2) (n) of Indian Penal Code and Section 6 of Protection of Children from Sexual Offences Act, 2012 and Section 3 (2) (V) S.C. & S.T. (Prevention of Atrocity) Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 06.05.2018. No case is made out against the applicant. The applicant himself is a minor. The prosecutrix and her parents have been examined before the trial Court, who have not at all 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, this applicant abducted the minor prosecutrix and then has exploited her sexually. The prosecutrix is member of scheduled caste. Hence, the offences have been registered against the applicant.
6. Considered on the submissions made and the contents of the case diary. Considering on the entire material present in the case diary and also perused the certified copy of the deposition of the prosecutrix and her parents filed along with the application, which shows that all these witnesses have not at all supported the prosecution case, hence for this reason, 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