

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3540 of 2019

Ganesh Yadav, S/o. Balaram Yadav, Aged About 21 Years, R/o. Kharripara,
Md. Bashir Khan Ward, Police Station Mungeli, District Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Officer In Charge Of Police Station City
Kotwali, District Mungeli Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pallav Mishra, Advocate
For Respondent/State	: Mr. Avinash K. Mishra, P.L.

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.285/2019, registered at Police Station –City Kotwali, Mungeli, District – Mungeli (C.G.) for the offence punishable under Section 363, 366, 376 of Indian Penal Code and Section 4 & 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 applicant is in jail since 29.04.2019. The prosecutrix has made statement under Section 164 of Cr.P.C. in favour of the applicant on the basis of which the applicant is entitled for grant of bail. 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, it is alleged that this applicant has abducted the minor prosecutrix and has exploited her sexually. Hence this case.
6. Considered on the submissions made and the contents of the case diary. On perusal of the statement of the prosecutrix under Section 164 of Cr.P.C., 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