

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3871 of 2019

- Rajeshwar @ Raja Chandaniya, S/o Late Man Singh Chandaniya, Aged About 20 Years, R/o Satnami Nagar, Yadav Chowk Gondiya, Police Station C.T. Police Gondiya, District-Gondiya, Maharashtra.

---- Applicant

Versus

- State of Chhattisgarh Through Police-Station-Khairagarh, District-Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Pandey, Advocate.
For Respondent/State	:	Mr. Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

24/07/2019

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.133/2019 registered at Police Station–Khairagarh, District–Rajnandgaon(C.G.) for the offence punishable under Sections 363, 354 of IPC and section 7 & 8 of Protection of Children From Sexual Offences Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 06.04.2019. No case is made out against this applicant. The applicant is a man of tender age. He has not committed any offence which he will prove in the trial, therefore, it is prayed that he may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the prosecutrix in this case is minor girl, therefore, applicant is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, this applicant allured the prosecutrix, who is a minor with promise to marry her and took her to Rajnandgaon and other places and during the travel and stay he by use of physical force acted by outraging her modesty. Hence, this case.
6. After considering all the facts and circumstances of this case and for the reason that the applicant has to face the trial, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on regular bail on his furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)

Judge