

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4366 of 2019

- Dhansingh Satnami S/o Jeevan Satnami, Aged About 21 Years, R/o Sonpuri, Police Station Pandariya, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Officer-in-Charge of Police Station Pandariya, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

----Non-applicant

For Applicant – Shri Pallav Mishra, Advocate.

For Non-applicant/State – Shri Chandrabhushan Kesharwani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-08-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 13-05-2019 in connection with Crime No.61/2018 registered at P.S. - Pandariya, Kabirdham, District Kabirdham, Chhattisgarh for the offence under Section 363, 366, 376 of the IPC and Sections 3 & 4 of POCSO Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 13-05-2019. The prosecutrix had been a consenting party and she is also competent for giving consent being of aged above 18 years. Apart from that, the applicant and the prosecutrix both have married and settled and having a child out of their wedlock. However, the false FIR has been lodged against the applicant. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, it is alleged that this applicant had abducted the minor prosecutrix and exploited her sexually.
6. On perusing the statement of the prosecutrix under Section 164 of the Cr.P.C., I am of this view that this is a fit case for grant of regular bail.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge