

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5199 of 2019

- Tilak Yadav @ Triloki S/o Parasram Yadav Aged About 21 Years R/o Amleshwar Akhada Para, Police Station Amleshwar, District Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Amleshwar, District Durg Chhattisgarh

---- Non-applicant

For Applicant : Ms. Uma Sahi, Advocate.

For Non-applicant/State : Mr. Kapil Maini, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-10-2019

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 01.02.2019 in connection with Crime No.101/2019, registered at Police Station– Amleshwar, District- Durg, Chhattisgarh for offence punishable under Sections 363, 366, 376 of the I.P.C. and Section 5(1) and 6 of POCSO Act
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case and he has not committed any offence. The applicant is in jail since 01.02.2019. Charge-sheet has been filed and the prosecutrix has also been examined before the trial Court whether she had not supported the prosecution case, therefore, it is prayed that application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Complainant- Kumari Yadav W/o Mr. Ashok Yadav is present before this

Court upon the service of notice. She has made a statement that she has no objection in grant of bail to the applicant.

5. Heard learned counsel for the parties and perused the case diary.
6. According to the prosecution case, this applicant abducted the minor prosecutrix of age about 14 years and then by taking her to places, he has exploited her sexually.
7. Considering that the complainant herself has no objection in grant of bail to the applicant, therefore, I feel inclined to allow this application.
8. 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.
9. Certified copy as per rules.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge