

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6254 of 2019

- Sandeep Adil S/o Ramesh Kumar, Aged About 21 Years, R/o Kunchi, Police Station Gidhpuri, District Balodabazar-Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through - the Station House Officer, Police Station Gidhpuri, Balodabazar - Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

----Non-applicant

For Applicant – Shri Punit Ruparel, Advocate.

For Non-applicant/State – Shri Roshan Dubey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-10-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second application before this Court filed by the applicant for grant of regular bail. His earlier application for grant of regular bail, MCRC No.3444 of 2019 was dismissed as withdrawn. The applicant has been arrested on 18-03-2019 in connection with Crime No.32/2019 registered at P.S. - Gidhpuri, District Balodabazar – Bhatapara, Chhattisgarh for the offence under Section 376 of the IPC and Section 04 of the POCSO Act, 2012.

2. It is submitted on behalf of the applicant that the applicant is innocent and has been falsely implicated in this case. The prosecutrix and her parents have been examined before the trial Court. The parents of the prosecutrix have not at all supported the prosecution case, whereas, the prosecutrix has made admission in her cross-examination which are in favour of this applicant. Therefore, it is prayed that the application may be allowed.

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, this applicant has exploited the minor prosecutrix sexually on number of occasions on pretext that he will marry her.
6. Considering on the development that has taken place in the trial, I feel inclined to allow this application.
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