

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7108 of 2019**

Golu @ Raj Maravi @ Rajkumar Maravi, son of Vijay Kumar Maravi, aged about 20 years, caste Gond, R/o Budhwari Mohalla, Ratanpur, police station Ratanpur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Chowki CSEB, Police Station- Korba, District- Korba, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sumit Singh Rathore and Shri Rahul Agrawal, Advocates.
For the Respondent/State	:	Shri Priyanshu Gupta, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****22.11.2019**

Heard.

1. This is the second 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.0771 of 2018, registered at Police Chowki CSEB, Police Station – Korba, District – Korba, Chhattisgarh for the offence punishable under Sections 363, 366(A) and 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012. The first bail application of the applicant was dismissed as withdrawn on 22.7.2019 in M.Cr.C. No. 3176 of 2019.

2. Learned counsel for the applicant submits that the applicant is in jail since 18.11.2018 and has been falsely implicated in this case. The

prosecutrix has been examined before the trial Court and she has not supported the prosecution case. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted by the State counsel that the prosecutrix is a minor girl. Hence, the applicant is not entitled for grant of regular bail.

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

5. According to the prosecution case, this applicant abducted the minor prosecutrix and exploited her sexually.

6. Perused the certified copy of the deposition of the prosecutrix filed alongwith the application and after considering the statement given by the prosecutrix before this Court, I am of this view that in this case the applicant deserves to be enlarged on 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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge