

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9301 of 2018

1. Jai Kumar Raut S/o Ram Bharosh Aged About 33 Years R/o Kilkila, P. S. Lailunga, District Raigarh Chhattisgarh
2. Ramnath S/o Dukalu Raut Aged About 25 Years R/o Navagaon Kilkila, P. S. Lailunga, District Raigarh Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Lailunga, District Raigarh Chhattisgarh

---- Respondent

For Applicant	: Shri Manoj Kumar Jaiswal, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

04/01/2019

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime no. 141/2018, registered at Police Station Lailunga District Raigarh (C.G.) for the offence punishable under Section 363, 366, 376 of IPC and Section 4 & 6 of the POCSO Act.
2. In this case prosecutrix is a girl aged about 15 years 2 months. As per prosecution story, on 31.07.2018 father of the prosecutrix made a report, wherein, it has been alleged that co-accused Laljeet abducted her minor daughter i.e. prosecutrix. On the basis of said report, offence has been registered. During course of investigation prosecutrix has been recovered and her statements were recorded. In her statement she has disclosed the fact that the present applicants assisted the co-accused person in abducting her. The applicants are in custody since 30.10.2018.

3. Learned counsel appearing on behalf of the Applicants submits that the applicants are innocent and have been falsely implicated in the present case, he further submits that the allegations against the present applicants is only that they assisted the co-accused person in abducting the prosecutrix, they are in custody since 30-10-2018 and trial will likely to take some time, therefore, they may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the fact and circumstances of the case, evidence collected by the prosecution and further considering the fact that, in this case main accused is the co-accused Laljeet, allegations against the present applicants is only that they assisted the co-accused person in abducting the prosecutrix, they are in custody since 30-10-2018 and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like amount to the satisfaction of the trial court for their appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)**

Judge