

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1771 of 2020**

Sanju @ Sanjay Sarthi S/o Devanand Sarthi Aged About 23 Years R/o Village Arjuni, Police Station Sakti, District Janjgir Champa Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Kharsiya, District Raigarh Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Kamal Kishore Patel, Advocate.
For the Respondent/State	:	Shri Vimlesh Bajpai, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****15.05.2020**

1. This is the first 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.14 of 2019, registered at Police Station – Kharsiya, District – Raigarh, Chhattisgarh for the offence punishable under Sections 363, 366 and 376 of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 16.8.2019 and has been falsely implicated in this case. The The prosecutrix has been examined before the trial Court; she turned hostile and has not supported the case of the prosecution. 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.
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 then taking her to different places he has exploited her sexually. Hence, this case.
6. On perusal of the copy of the deposition of the prosecutrix filed alongwith the application, it is found that the prosecutrix has been declared hostile by the prosecutor. Therefore, looking to this development, I feel inclined to grant bail to the applicant in this case.
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