

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1677 of 2020

- Vicky Sahu S/o Dilip Sahu Aged About 20 Years R/o Chavardhal, Police Station - Ghumka, District- Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Ghumka District- Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Aditya Bhardwaj, Advocate.

For Non-applicant/State : Mr. Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-06-2020

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 20.09.2019 in connection with Crime No.166/2019, registered at Police Station- Ghumka, District- Rajnandgaon, C.G. for offence punishable under Sections 363, 366 and 376(3) of I.P.C. and Section 6 of POCSO Act, 2012.
2. It is submitted by learned counsel for the applicant that the applicant is in jail since 20.09.2019 and has been falsely implicated in this case. The prosecutrix has been examined before the Magistrate and she has not at all supported the prosecution case, therefore, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant formally opposes the application.

4. Heard learned counsel for the parties and perused the case diary.
5. As per the prosecution case, this applicant abducted the minor prosecutrix and then he has exploited her sexually regarding which F.I.R. has been lodged.
6. On perusal of the copy of deposition filed along with the bail petition, it is found that prosecutrix has not identified the applicant and also not supported the case of prosecution, therefore, looking to this development, 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