

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2030 of 2020

Tarun Sahu S/o Chail Kumar Aged About 23 Years R/o Village Machandur,
P.S. Utai, District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through S.H.O., P.S. Anda, District Durg, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Avinash Chand Sahu, Advocate
For Respondent/State	: Mr. Adil Minhaj, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

03/06/2020

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.55/2019, registered at Police Station – Anda, District – Durg (C.G.) for the offence punishable under Section 363, 366, 376 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant. The applicant is in jail since 30.05.2019. The prosecutrix and her brother both have been examined before the trial Court and they have not supported the prosecution case, therefore, nothing is left against this applicant. Hence, it is prayed that the applicant may be enlarged on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, this applicant abducted the minor victim of age below 18 years and then she was exploited sexually on the pretext of marrying her.
6. On perusal of the copy of the deposition of the prosecutrix as well as deposition of her brother, which has been filed along with this application, it is found that these material witnesses have not supported the prosecution case, therefore, looking to this development, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge