

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2674 of 2020

- Ambikeshwar Singh @ Ambika Singh, S/o Late Awadh Bihari Singh, Aged About 59 Years Caste - Kushwaha, R/o - Sonamani, Police Station - Chirimiri, Tehsil - Khadgawan, District - Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - A J K, Baikunthpur, District - Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

 For Applicant : Shri Pawan Shrivastava, Advocate
 For Respondent/State : Shri K.K. Singh, Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey
Order On Board

15.5.2020

1. Heard.
2. Admit.
3. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.31/2019, registered at Police Station AJK, Baikunthpur, District Koriya (CG) for the offence punishable under Sections 294, 506, 323, 354, 455, 354(B)/34 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(2)(Va) of the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act.
4. As per the case of prosecution, the complainant Deokumar lodged an FIR against the applicant and other co-accused person for commission of rape and aborting of his minor grand

daughter on which a case was registered. Allegations against the applicant are that he is threatening the complainant to compromise the matter.

5. Learned counsel for the applicant submits the applicant is innocent and he has not committed any offence. He submits that earlier also the complainant has lodged a false complaint against the applicant regarding commission of rape and abortion on his grand daughter. He submits that the co-accused has been granted anticipatory bail by this Court in MCRCA No.128/2020 and applicant is in custody since 16.3.2020 and trial may take some time for its final disposal therefore, the applicant may be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application.
7. Perused the entire material available on record.
8. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the co-accused has granted anticipatory bail, I am of the opinion that present is a fit case to release the applicant on bail.
9. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
10. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court

for his appearance before the said Court as and when directed
till the disposal of the trial.

11. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

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