

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2804 of 2020

- Pradeep Lakda S/o Late Shri Ajit Lakda Aged About 23 Years Caste Uraon, Occupation- Farmer, R/o Village- Tukam, Post- Navagaon, Tehsil- Manpur, Police Station- Aundhi, District- Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Aundhi, District- Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant : Mr. S.S. Baghel, Advocate.

For Non-applicant/State : Mr. Sudeep Agrawal, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-07-2020

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 03.03.2020 in connection with Crime No.02/2020, registered at Police Station- Aundhi, District- Rajnandgaon, C.G. for offence punishable under Sections 363, 376, 506, 34 of I.P.C. and Sections 4 & 6 of POCSO Act.
2. It is submitted by learned counsel for the applicant that the applicant is in jail since 03.03.2020 and has been falsely implicated in this case. There is no allegation against this applicant regarding his participation in the commission of offence of rape. Hence, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant formally opposes the application and submits that this applicant has actively aided in the

commission of offence according to the statement that has been given by the prosecutrix. Therefore, he is not entitled for grant of bail.

4. The complainant- Niroj Bada and the victim of this case are present in person before this virtual Court through the Help Desk of the High Court of Chhattisgarh and they have stated that they have no objection in grant of bail to the applicant.
5. Heard learned counsel for the parties and perused the case diary.
6. As per the prosecution case, it is alleged that the main accused- Ankit Toppo abducted the minor prosecutrix with the help of this applicant and then he has committed the offence of rape with her.
7. Considered on the submissions and the nature of the allegation that is present against this applicant and also that the complainant and the victim of this case has no objection in grant of bail to the applicant, therefore, I feel inclined to allow this application.
8. 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.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge