

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3647 of 2020**

- Anand Malakar, S/o Mahendra Malakar, Aged About 25 Years R/o Near Kharsiya Naka, Ambikapur, District-Surguja Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through – Police-Station-Udaipur, District-Surguja Chhattisgarh.

---- Respondent

For Applicant	: Mr. Anurag Singh, Advocate.
For State/respondent	: Mr. Sudeep Verma, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****16/06/2020**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.46/2020 registered at Police -Station-Udaipur, District-Surguja(C.G.) for the offence punishable under Section 363, 366A, 376 of IPC and Section 5 & 6 of POCSO Act and Section 3(2-5) of SC/ST (Prevention of Atrocities) Act,1989.
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 only allegation against this applicant is this, that he has assisted the main accused David Kumar Rajwade in abducting the minor prosecutrix. The main accused has been granted

bail by this Court in MCRC No.3624/2020 by the order passed today itself, therefore, it is prayed that he may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case of prosecution is this, that the main accused David Kumar Rajwade had an affair with minor prosecutrix and he had exploited her sexually. On the date of incident when he was abducting the minor prosecutrix with the help of this applicant in the vehicle, they were stopped by the police patrolling party and the minor girl was seized from the custody of main accused.
6. Considering that the main accused has been granted bail in this case, therefore, the case is made out in favor of this applicant also for grant of regular bail, therefore, I feel inclined to allow the bail application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge