

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2943 of 2020

- Umendra Kumar @ Mahendra Sonkar S/o Krishnaram Sonkar (Wrongly Mention Kushnaram In Order) Aged About 25 Years R/o Kohangatola, Thana Balod, District-Balod Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through S.H.O. Police Station Balod, District-Balod Chhattisgarh.

---- Respondent

For Applicant	: Mr. Goutam Khetrapal, Advocate.
For State/respondent	: Mr. Ravi Bhagat, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

02/06/2020

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.116/2020 registered at Police -Station- Balod, District-Balod(C.G.) for the offence punishable under Section 354, 354(क), 363, 506 of IPC and Section 7 & 8 of POCSO Act.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. The applicant is in

jail since 17.3.2020. The FIR itself shows that it has been lodged with a delay of about 7 days which is a totally concocted story and lodged to satisfy some revenge by the parents of the victim. The medical report of the victim is negative which is also in favor of the applicant, 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. It is submitted that the age of the victim in this case is only 10 years, hence, looking to the gravity of allegation, he is not entitled for grant of regular bail.
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 10 years and then by taking her a lonely place, the applicant outraged the modesty of the victim by physically touching her private parts, thereafter she was also threatened by this applicant with intention that the victim does not disclose this incident to anybody. After about 7 days of this incident, the victim again met with the applicant and then she recognized him, because of which the FIR has been lodged. Hence, this case.
6. After considering the facts and circumstances of this case and also for the reason that the charge-sheet has been filed and the case is now pending for trial, 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

Nisha