

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4028 of 2020

Suiya @ Ramnarayan Sonwani, S/o Malik Say Aged About 35 Years,
R/o Darripara Kusmi, Thana- Kusmi, District- Balrampur-Ramanujganj
(C.G.)

--- Applicant

Versus

State of Chhattisgarh, through Police Station- Kusmi, District-
Balrampur- Ramanujganj (C.G.)

--- Respondent

For Applicant : Mr. Vikas Pandey, Advocate.

For State/ Respondent : Mr. Devendra Pratap Singh, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30/06/2020

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. 14/2020, registered at Police Station- Kusmi, District- Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 363, 341, 342, 366, 376 (2)(n), 506 read with Section 34 of IPC & Section 5(I) & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in

jail since 08.03.2020 and has been falsely implicated in this case. No case is made out against the present applicant. All the allegations are against main accused- Babulal, who happens to be son of this applicant. This applicant has played no role in said commission of offence. Hence, it is prayed that this applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application submitting that this applicant had harboured and given shelter to main accused and the minor victim to facilitate the commission of offence, hence, the application for grant of bail may be rejected.
4. Heard counsel for both the parties and perused the records.
5. As per case of the prosecution, the minor prosecutrix who was aged about 17 years, abducted by son of this applicant and then by keeping the prosecutrix in his custody, has committed offence of rape. The allegation against this applicant is regarding giving shelter to the main accused and the victim.
6. After considering the nature of allegation against this applicant and also the statement that has been given by the prosecutrix under Section 164 of the Cr.P.C., I am of the view that it would be proper to release the applicant on regular bail, hence, I feel inclined to grant bail to the applicant in this case.
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

Arun