

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3049 of 2020

- Prithvi Raj Chauhan S/o Rajendra Prasad Chauhan, Aged About 27 Years, R/o Karrabehra, Police Station Kotba, District Jashpur, Chhattisgarh. (Flap not attached with the bail rejection order, the description of the applicant is mentioned as bail application which was filed), District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police of Police Station Lailunga, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Shri Manoj Chouhan, Advocate.

For Non-applicant/State – Shri D.P. Singh, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-07-2020

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 18-03-2020 in connection with Crime No.48/2020 registered at Police Station – Lailunga, District Raigarh, Chhattisgarh for the offence under Section 363, 366, 376 of the IPC and Section 4 & 6 of Protection of Children from Sexual Offences Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against him. The prosecutrix is not minor and the physical relation of the applicant and the prosecutrix was based on consent. The applicant is in jail since 18-03-2020. Therefore, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the documents.
5. As per the prosecution case, it is alleged that this applicant abducted the

minor prosecutrix of age about 17 years and then by keeping her as his wife he exploited her sexually for more than one month and then he deserted her, because of which the FIR has been lodged.

6. After considering on the facts and circumstances of this case, I am of this view that it is fit case for grant of bail to the applicant.

7. 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.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge