

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3079 of 2020**

Ganesh @ Golu Meshram S/o Gokal Meshram, Aged About 20 Years R/o Mahlighat, Police Station Chilpi, District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Chilpi, District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh.

---- Respondent

For the Applicant : Shri Hemant Kesharwani, Advocate.
For the Respondent/State : Shri Ravish Verma, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****25.06.2020**

Heard.

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.19 of 2020, registered at Police Station – Chilpi, District – Kabirdham, Chhattisgarh for the offence punishable under Sections 363, 366 and 376 of the Indian Penal Code and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 30.4.2020 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The statement of the prosecutrix under Section 164 of the Cr.P.C. reflects that this applicant has not committed any offence.

Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, it is alleged that this applicant abducted the minor prosecutrix and then he has exploited her sexually. Hence, this case.

6. After considering the statement that has been given by the prosecutrix under Section 164 of the Cr.P.C. before the Judicial Magistrate First Class, I am of the considered view that this is a fit case for grant of regular bail to the applicant.

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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge