

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3139 of 2020

- Vishwajeet Goldaar @ Jeet Devnath S/o Dileep Goldaar, Aged About 21 Years, R/o P.V.43, Pakhanjur, P.S. Pakhanjur, District Kanker Chhattisgarh., District : Kanker, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Mana Camp, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri Pushkar Sinha, Advocate.

For Non-applicant/State – Shri Raveesh Verma, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-06-2020

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 06-08-2019 in connection with Crime No.151/2019 registered at Police Station - Mana Camp, District Raipur Chhattisgarh for the offence under Section 363, 366, 376 of the IPC and Section 4 and 6 of POCSO Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 06-08-2019. No case is made out against him. The prosecutrix has been examined before the trial Court in which she has very clearly stated that she does not recognize the applicant as the person who has committed rape with her. Therefore, it is prayed that the applicant may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the documents.
5. According to the prosecution case, this applicant abducted the minor prosecutrix and then exploited her sexually.

6. On perusal of the copy of the deposition of the prosecutrix which has been filed along with the petition, I am of this view that there is development on the basis of which the applicant should be granted bail.

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