

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3172 of 2020**

- Nikhil Kumar Jaiswal S/o Late Anand Jaiswal Aged About 25 Years R/o Meral, P.S. Meral, District Gadav (Jharkhand)

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Station House Officer, P.S. Balrampur, District Balrampur Ramanujganj, Chhattisgarh

---- Respondent

For Applicant
For Respondent /State

Mr. Dashrath Kushwaha, Advocate
Mr. Gagan Tiwari, Dy. GA

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****23/9/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.174/2019 registered at Police Station Balrampur District Balrampur Ramanujganj (CG) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 3, 4, 5 (l) of the Protection of Children from Sexual Offences Act, 2012.
3. Although there is allegation against the applicant of abduction

and commission of rape with the prosecutrix, however, when examined in the Court, she has not supported the prosecution. She has gone to the extent of not identifying the applicant and saying that the present accused has not committed any offence against her.

4. In view of the above and for the fact that the applicant is in jail since 9.1.2020, this Court is inclined to release the applicant on regular bail.
5. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
6. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge

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