

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3245 of 2020

Raju Lal Satnami, S/o Shri Nathu Lal Satnami, Aged About 45 Years,
R/o Mahrumkhurd, Mahrumkala, Police Station Ghumka, District-
Rajnandgaon (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police Station
Ghumka, District- Rajnandgaon (C.G.)

--- Respondent

For Applicant : Mr. Ishan Verma, Advocate.

For State/ Respondent : Mr. Ravish Verma, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

02/07/2020

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. 76/2020, registered at Police Station- Ghumka, District- Rajnandgaon (C.G.) for the offence punishable under Section 363, 366, 368, 376 & 34 of IPC & Section 4, 16, 17 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 07.04.2020 and has been falsely implicated in this case. No case is made out against the present applicant. There is no allegation against this applicant regarding commission of offence with the prosecutrix. The only allegation had been that this applicant had facilitated meeting of the applicant with the

prosecutrix which does not amount to commission of any 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 according to the statement given by the prosecutrix, this applicant has facilitated in commission of offence, therefore, he is not entitled for grant of bail. Hence, the application for grant of bail may be rejected.
4. On notice, the informant/complainant namely Ishwar Verma is present in the High Court of Chhattisgarh through Help Desk and he has submitted that he has objection in granting bail to this applicant.
5. Heard counsel for both the parties and perused the records.
6. As per case of the prosecution, the prosecutrix went missing on 05.04.2020 regarding which the complaint was lodged by her father. The prosecutrix was recovered from custody of co-accused- Amit Deshmukh on 07.04.2020. The prosecutrix has given statement that the applicant was the person who facilitated conveyance for taking her to the co-accused- Amit Deshmukh and then offence of abduction was conducted and co-accused- Amit Deshmukh has exploited the prosecutrix sexually.
7. After considering the entire material placed against this applicant and looking to the role played by this applicant in such commission of offence which is found in the statement of the prosecutrix, I am of the view that it would be proper to release the applicant on regular bail during pendency of trial against him,

hence, I feel inclined to grant bail to the applicant in this case.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
9. 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