

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3414 of 2020

- Deepanker Das S/o Shri Naresh Narottam Das, Aged About 23 Years, R/o. Village Khudiram Palli, Thana and Tehsil Mulchera, Civil and Revenue District Gadchirouli (Maharashtra), District : Gadchiroli, Maharashtra

---- Applicant

Versus

- The State of Chhattisgarh, Through the Station House Officer, Police Station Bande, District North Baster Kanker Chhattisgarh, District : Kanker, Chhattisgarh

----Non-applicant

For Applicant – Shri Sunil Sahu, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22-06-2020

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 10-03-2020 in connection with Crime No.15/2020 registered at Police Station - Bande, District North Baster Kanker, Chhattisgarh for the offence under Section 363, 354, 506/34 of the IPC & Section 18 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 10-03-2020. No case is made out against the applicant. The FIR has been lodged because of some misunderstanding. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that the age of the prosecutrix in this case is only 13 years and she has made clear statement against this applicant. Therefore, the application may be rejected.

4. Heard learned counsel for the parties and perused the documents.
5. As per the prosecution case, the applicant allured the minor prosecutrix with a promise to marry her and then after putting her under threat he abducted her and took her to a place in Maharashtra. Later on the prosecutrix was recovered from the possession of the applicant.
6. After considering on the facts and circumstances of this case and also that the charge sheet has been filed, I feel inclined to allow this application.
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