

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3421 of 2020

- Ravishankar Sahu S/o Shri Radheshyam Sahu, Aged About 19 Years
R/o Village - Majgaon, Post - Chhiraha, Police Station - Dadhi, Tahsil -
Navagarh, District - Bemetara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through - Station House Officer, Out Post -
Damapur, Police Station- Kunda, District - Kabirdham Chhattisgarh.

---- Respondent

For Applicant	: Mr. Dharmesh Srivastava, Advocate.
For State/respondent	: Mr. Raveesh Verma, Govt. Advocate.
For Complainant	: Mr. S.P. Sahu, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/07/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.47/2020 registered at Police -Station-Kunda, Out-Post-Damapur, District-Kabirdham(C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Section 4, 6 of POCSO Act, 2012.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. The applicant is in jail since 8.4.2020. No case is made out against the applicant. The

prosecutrix has given statement under Section 164 CrPC that she had willingly accompanied and resided and had physical relation with her and also she and the applicant both have performed marriage, therefore, it is prayed that he may be enlarged on regular bail.

3. Notice upon the complainant is served and he is represented through her counsel. The counsel makes statement that the complainant has objection in grant of bail to the application.
4. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, it is alleged that this applicant had abducted the minor prosecutrix of age about 14 years and 3 months and then he has exploited her sexually for considerable time.
7. Considered the submissions made and also the submissions made by the counsel for the applicant. Further, looking to the statement under Section 164 CrPC by the prosecutrix, I feel inclined to allow the bail application of this applicant.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)

Judge