

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3614 of 2020**

Suraj Bhardwaj S/o Setram Aged About 20 Years R/o Village- Purain (Budha) P.O. Jagali P.S. And Tahsil Dabhara District Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, P.S. Kotraroad, District Raigarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Manoj Kumar Jaiswal, Advocate.
For the Respondent/State : Shri Adil Minhaj, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.07.2020**

Heard.

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.26 of 2020, registered at Police Station – Kotraroad, District – Raigarh, Chhattisgarh for the offence punishable under Sections 363, 366 and 376 of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 14.4.2020 and has been falsely implicated in this case. The FIR lodged by the victim against the applicant is totally false and without any basis in this case. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the age of the victim in this case had been only 15 years and she has made a categorical statement against the applicant. Hence, no case is made out for grant of bail to the applicant.

4. Complainant – Laxmi Prasad is present in person before this virtual Court through help-desk of this High Court. He stated that he has no objection if the applicant is granted bail.

5. Heard counsel for both the parties and perused the case diary.

6. The case of the applicant is that he enticed the minor prosecutrix and then he abducted and took her to different places, where he exploited her sexually regarding which, FIR has been lodged.

7. Considered the submissions and also considered the statement of the prosecutrix which she has given in the investigation. However, looking to this fact that the complainant has no objection for grant of bail to the applicant, I am of the considered view that this is a fit case for grant of regular bail to the applicant.

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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge