

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3805 of 2020

Dinesh Singh, S/o Kishun Ram, Aged About 28 Years, R/o Village Sahanpur, Police Station and Tahsil Lundra, District- Surguja (C.G.)

--- Applicant

Versus

State of Chhattisgarh, through Police Station Lundra, District- Surguja (C.G.)

--- Respondent

For Applicant : Mr. Anurag Singh, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24/06/2020

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. 60/2019, registered at Police Station- Lundra, District- Surguja (C.G.) for the offence punishable under Sections 363, 366 (क), 368, 376(2)(क) of IPC & Section 5(क)/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 25.06.2019 and has been falsely implicated in this case. No case is made out against the present applicant. The prosecutrix has been examined before the trial court and she has not supported case of the prosecution, therefore, nothing is left against this applicant, 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 submitting that no case is made out for grant of bail to the applicant, hence, the application for grant of bail may be rejected.
4. Heard counsel for both the parties and perused the records.
5. As per case of the prosecution, it is alleged that this applicant abducted the minor prosecutrix and then exploited her sexually on a number of occasion regarding which FIR has been lodged.
6. After considering the fact that the prosecutrix has turned hostile before the trial court, therefore, looking to this development, I am of the view that it would be proper to release the applicant on regular bail, hence, I feel inclined to grant bail to the applicant in this case.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. 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