

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3778 of 2020

- Raju Bandhey S/o Nirmal Das, Aged About 23 Years, R/o - Vrinda Nagar, Near Punchmukhi Mandir, Indira Gandhi Collage Near Vaishali Nagar Durg District - Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through - District Magistrate District - Durg Chhattisgarh., District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Shri Sanjay Kumar Agrawal and Shri Avinash Chand Sahu, Advocates.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-06-2020

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 29-05-2020 in connection with Crime No.190/2019 registered at Police Station – Jamul, District Durg, Chhattisgarh for the offence under Section 363, 366, 376 of the IPC and Section 4, 6, 8, 17, 18 of POCSO Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against him. The only allegation in whole case of the prosecution against this applicant is about assisting the main accused in his transportation. The main accused Deepak Bandhe has been enlarged on bail by coordinate Bench of this Court. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the documents.
5. As per the prosecution case, co-accused Deepak Bandhe abducted the

minor prosecutrix and he was helped by this applicant in the matter of conveyance. Subsequently, the prosecutrix was sexually exploited by the main accused.

6. Considering the nature of the allegation against this applicant and that the main accused in this case has already been enlarged on bail by the coordinate Bench of this Court, 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