

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4083 of 2020

Anil Kumar Ursa @ Pappu, S/o Bodda Ursa, Aged About 19 Years,
Residing at Village Mordem, P.S. Toynar, District- Bijapur (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through: The Police Station Bijapur, District-
Bijapur (C.G.)

--- Respondent

For Applicant : Mr. Pravin Kumar Tulsyan, Advocate.

For State/ Respondent : Mr. Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01/07/2020

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. 55/2019, registered at Police Station- Bijapur, District- Bijapur (C.G.) for the offence punishable under Section 376 & 312 of IPC & Section 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 05.07.2019 and has been falsely implicated in this case. No case is made out against the present applicant. The

prosecutrix and her parents have been examined in the trial, who have not supported case of the prosecution, therefore, nothing is left against the present applicant. Hence, it is prayed that this applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application submitting that the prosecutrix has made some admission on the suggestion made by the prosecutor, which is in support of the prosecution case, 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 on pretext that he will marry the minor prosecutrix, exploited her sexually on a number of occasions, result of which, she became pregnant, thereafter, the applicant administered the prosecutrix some medicine to abort the pregnancy which has been resulted in abortion of the pregnancy.
6. Perused the certified copy of deposition of the prosecutrix and her parents which is filed along with this application and it is found that they have been declared hostile by the prosecutor, 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

Arun