

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4319 of 2020

- Sanjay S/o Ramraj Rathor, Aged About 35 Years, R/o Village Ghaghara, Police Station and Tahsil Kharsia, District Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through - Police Station Kharsia, District Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Shri Vineet Ku. Pandey, Advocate.

For Non-applicant/State – Shri Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-07-2020

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 16-12-2019 in connection with Crime No.115/2019 registered at Police Station – Kharsia, District Raigarh, Chhattisgarh for the offence under Section 454, 376 (2)(a), 506(B) of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. Similarly placed co-accused persons, namely, Rathram Nishad, Hemant @ Mantu Rathore and Jawaharlal Rathore have been granted bail by this Court. The applicant is also similarly placed. Therefore, it is prayed that he may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the documents.

5. The minor prosecutrix has lodged the FIR that firstly she was sexually exploited by co-accused Mantu Rathore and then on different dates co-

accused persons, namely, Kisan Kenwat, Jawaharlal Rathore and this applicant have also exploited her sexually.

6. Considered on the submissions and facts of the case. For the reason that similarly placed co-accused persons have been granted bail, therefore, 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