

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6058 of 2020**

1. Premlal Netam S/o Gopal Aged About 23 Years R/o Village Shardapur, Thana Chalgali, District Balrampur Ramanujganj, Chhattisgarh
2. Agar Saay S/o Fulchand Aged About 35 Years R/o Village Baserakala, Thana Chalgali, District Balrampur Ramanujganj, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Chalgali, District Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	Mr. Vikash Pandey, Advocate
For Respondent /State	Ms. Fouzia Mirza, Additional Advocate General

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****22/9/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of

Criminal Procedure for grant of regular bail to the applicants, who have been arrested in connection with Crime No.21/2020 registered at Police Station Chalgali, District Balrampur Ramanujganj (CG) for the offence punishable under Sections 363, 366, 376 (2) (n), 368, 109 read with 34 of the IPC and Sections 6, 17 of the Protection of Children From Sexual Offences Act, 2012.

3. At the outset, learned counsel for the applicants seeks permission of the Court to withdraw the bail application filed on behalf of **applicant 1 Premlal Netam** with liberty to revive the prayer after examination of the prosecutrix.
4. Permission granted.
5. Accordingly, the bail application filed on behalf of **applicant No.1 Premlal Netam** is **dismissed** with the aforesaid liberty granted in his favour.
6. In so far as **applicant No.2 Aagar Saay** is concerned, his role is limited to the extent that he permitted main accused Premlal Netam to reside in his house with the prosecutrix and commit sexual intercourse. He himself has not indulged in any sexual act with the prosecutrix.
7. Considering the nature of allegations against **applicant No.2 Aagar Saay**, the bail application filed on his behalf is **allowed**.
8. Accordingly, **applicant No.2 Aagar Saay** is directed to be released on bail on his furnishing a personal bond for a sum of

Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

9. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

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