

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.6099 of 2020**

- Amit Kerketta S/o Channu Aged About 19 Years R/o Village Chinna, Kodepal, Thana Modakpal, District Bijapur Chhattisgarh, District : Bijapur, Chhattisgarh

---- **Petitioner****Versus**

- State Of Chhattisgarh Through Police Station Modakpal, District Bijapur Chhattisgarh, District : Bijapur, Chhattisgarh

---- **Respondent**

For Applicant	:	Shri Alok Dewangan, Advocate
For Respondent/State	:	Shri Alok Bakshi, Additional AG
For Objector/Informant	:	Maternal Grandfather of the prosecutrix through Help Desk of District Legal Services Authority at Bijapur

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****29/10/2020**

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.07/2019 registered at Police Station Modakpal, District Bijapur for the offence punishable under Section 363, 376 of the IPC and Section 6 of the POCSO Act. The applicant was arrested on 23-01-2020.
2. Prosecution case is that the present applicant abducted and committed rape on the prosecutrix.
3. Learned counsel for the applicant would argue that the applicant has not committed any offence and he has been falsely implicated. He also submits that the prosecutrix and her maternal grandfather have not stated anything against the applicant, but according to the prosecutrix, there is some other person, who has committed the offence.
4. On the other hand, learned counsel for the State/non-applicant as well as informant/maternal grandfather of the prosecutrix opposes the bail application
5. Taking into consideration the submission of learned counsel for the

parties, material disclosed in the case diary and particularly taking into consideration that the prosecutrix has been examined in the Court and the submission of learned counsel for the applicant that the prosecutrix has completely absolved the applicant from the alleged commission of offence, the present appears to be a fit case for grant of bail.

6. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.25,000/- along with two local surety of the like amount to the satisfaction of the concerned trial Court on the condition that he shall appear before the trial Court regularly on each and every date of hearing, unless exempted.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
Judge