

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6577 of 2020

Pannalal Gond, S/o Hansraj Gond, Aged About 35 Years, Caste Gond,
Residence of Village Odari, Thana Chalgali, District- Balrampur-
Ramanujganj (C.G.)

--- Applicant

Versus

State of Chhattisgarh, through Police Station- Chalgali, District-
Balrampur-Ramanujganj (C.G.)

--- Respondent

For Applicant : Mr. Vikas Pandey, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09/10/2020

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. 73/2020, registered at Police Station- Chalgali, District- Balrampur- Ramanujganj (C.G.) for the offence punishable under Section 363, 366, 376(2)(N), 34 of IPC and Section 4, 6, 17 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 08.07.2020 and has been falsely implicated in this case. There is no allegation against this applicant regarding commission of offence of rape. The applicant had ignorantly given shelter to his nephew- main accused and the victim

without knowing anything about the incident. Hence, it is prayed that this applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application submitting that the applicant had full knowledge that the victim was brought to his house after abduction made by the main accused and he had given shelter to both of them. He also denied access to father of the victim and quarreled with him when the incident was disclosed. Ultimately, the victim was recovered from this applicant himself, therefore, he is not entitled for grant of bail. 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 the main accused- Amar Bahadur abducted the minor prosecutrix and then, he brought her to house of this applicant, where the minor victim was sexually exploited by him in connivance with this applicant.
6. Considered on the submissions and the facts present in this case. After considering that this applicant is not the main accused and looking to the nature of allegation present against this applicant, 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