

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 344 of 2021

Vijay, S/o Sobran, Aged About 25 Years, R/o- Giddhimudi, Thana Khadganva, District- Korla (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through The Station House Officer, Police Station- Basantpur, District- Balrampur- Ramanujganj (C.G.)

--- Respondent

For Applicant : Mr. Vikas Pandey, Advocate.

For State/ Respondent : Mr. Afroj Khan, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

10/03/2021

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. 66/2020, registered at Police Station- Basantpur, District- Balrampur- Ramanujganj (C.G.) for the offence punishable under Section 363, 366, 376, 364, 109 of IPC and Section 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 20.10.2020 and has been falsely implicated in this case. The allegations in the FIR and statement of the witnesses, are totally false. The applicant has not committed any offence, 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 there is evidence of active

participation of this applicant in commission of the offence of conspiracy with main accused, 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. The case of the prosecution is this, that the main accused- Ram Sundar abducted the minor prosecutrix and then, by keeping her in his custody, he has exploited her sexually. The allegation against this applicant is this, that he being brother-in-law of the main accused, gave shelter to the main accused and the prosecutrix and also arranged for their performance of marriage knowing well that the prosecutrix is minor.
6. Considered on the submissions and the facts present in this case. Looking to the nature of the allegation against this applicant and also the other circumstances present, I feel inclined to allow the bail application of this applicant.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. 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 trial Court, for his appearance as and when directed.

Certified copy, as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge