

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 445 of 2021**

Amar Ransure @ Raja Sweeper S/o Suraj Ransure Aged About 23 Years
R/o Ward No. 05, Jamatpara, Khairagarh, Police Station And Tahsil-
Khairagarh, District Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- District Magistrate, District- Rajnandgaon
Chhattisgarh.

---- Respondent

For the Applicant : Shri Abhishek Sharma, Advocate.
For the Respondent/State : Shri Adil Minhaj, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****09.04.2021**

Heard.

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.509 of 2020, registered at Police Station – Khairagarh, District – Rajnandgaon, Chhattisgarh for the offence punishable under Sections 363, 366 and 376 of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The prosecutrix and her mother have been examined before the trial Court who have not supported the case of the

prosecution, therefore, nothing is left in the prosecution against the applicant. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there are other witnesses to be examined who may establish the prosecution case, hence, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, it is alleged that this applicant abducted the minor prosecutrix of age below 18 years, kept her in his custody and exploited her sexually knowing well that she is not competent to such consent.

6. Considered the submissions and the documents present in this case. On perusal of the certified copy of the deposition of the prosecutrix, it is found that they are not supported the prosecution case and have been declared hostile. Hence, for these reasons, I feel inclined to grant regular bail to the applicant.

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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi