

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 527 of 2021**

- Naresh Kumar Sandilaya S/o Late Manoj Kumar Aged About 20 Years R/o Ghoghara, Police Station Nagraha, District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, City Kotwali, Raigarh, Tahsil And District Raigarh, Chhattisgarh

---- Respondent

For Applicant
For Respondent/State

Mr. Basant Dewangan, Advocate
Mr. Sameer Sharma, Dy. GA

Proceedings through Video Conferencing**SB.: Hon'ble Mr. Prashant Kumar Mishra, Ag. CJ**
Order On Board**18/6/2021**

1. Heard.
2. This is the second application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.132/2020 registered at Police Station City Kotwali, Raigarh for the offence punishable under Sections 363, 366, 376 of the IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act.
3. The earlier bail application was dismissed with liberty to the applicant to revive the prayer after examination of the

prosecutrix.

4. As per the prosecution case, the prosecutrix, aged about less than 16 years, was abducted by the applicant and both of them went to Gorakhpur Devriya, where they stayed together for about 6 months and on return, they stayed for about 14 days at village Ghoghra. It also appears from the material available in the case diary that they had previous acquaintance and intimacy as they were together shooting for a Chhattisgarhi movie. In her deposition, the prosecutrix has not made any allegation of commission of rape by the applicant.
5. Considering the fact that the applicant is in jails since 27.6.2020 and the prosecutrix has already been examined, I am of the opinion that present is a fit case to release the applicant on regular bail.
6. Accordingly, the application is allowed and the applicant 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.
7. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Acting Chief Justice