

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 946 of 2021

- Anil Tigga S/o Mikhail Tigga, Aged About 24 Years, R/o Dignagar, PS Rajpur, District-Balrampur Ramanujganj, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Rajpur, District-Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	:Mr. Jitendra Shrivastava and Mr. Hariom Rai, Advocates.
For Respondent/State	:Ms. Beenu Sharma, Panel Lawyer.
For Complainant	:Mr. Sachin Nidhi, Advocate.

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

16/03/2021

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.243/2020 registered at Police-Station-Rajpur, District-Balrampur-Ramanujganj(C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Section 5, 6 of POCSO Act.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. The FIR lodged is totally false. The complainant, the father, the mother and the prosecutrix all of them have no objection in grant of bail to the

applicant, hence, it is prayed that applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the age of prosecutrix was only about 14 years on the date of incident and there is her clear statement under Section 164 CrPC, making allegations against this applicant, therefore, the application be rejected.
4. Complainant Dharampal, prosecutrix, Shiv Shankar Marabi the father of the prosecutrix are present before this Court represented by their counsel. They have no objection in grant of bail to the applicant and the father of the prosecutrix Shiv Shankar Marabi has also filed an affidavit in support of this application.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As per prosecution case, it is alleged that this applicant abducted the minor prosecutrix, kept her in his custody and exploited her sexually regarding which FIR has been lodged.
7. Considered on the submissions. Taking into consideration the statement of no objection made by the complainant, the father of the prosecutrix and prosecutrix herself, I feel inclined to allow the bail application of this applicant.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha