

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1010 of 2021

- Ravi Kumar Yadav @ Gop, S/o Kapil Dev Yadav, Aged About 24 Years, R/o Village Mirjanager, Police Station Mahua, District Vaishali (Bihar), At Present R/o Ghasidas Nagar, Near the House of Ex-Councilor., District : Vaishali, Bihar

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, Police Station Jamul, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Shri Tarendra Kumar Jha, Advocate.

For State/Non-applicant – Smt. Hamida Siddiqi, Deputy Advocate General.

Shri Praveen Shrivastava, Advocate for the complainant.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-06-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 28-11-2020 in connection with Crime No.181/2020 registered at Police Station – Jamul, District Durg, Chhattisgarh for the offence under Section 363, 366 (A), 376 (2) (N) of the IPC and Section 6 of Protection of Children from Sexual Offences Act.

2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated. According to the statement given by the prosecutrix under Section 164 of the Cr.P.C., there is no case present against this applicant. He is in jail since 28-11-2020. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that the prosecutrix has made clear allegation against the applicant in her statement under Section 161 of the Cr.P.C., hence, there is no case present for grant of bail.

4. Learned counsel for the complainant submits that the complainant has no objection in grant of bail to this applicant.

5. Heard learned counsel for the parties and perused the documents.
6. According to the prosecution case, this applicant abducted the minor prosecutrix, kept her in his custody and he also exploited her sexually continuously on the pretext of marrying her which resulted in her pregnancy.
7. Considered on these submissions. On perusal of the certified copy of the statement of the prosecutrix under Section 164 of the Cr.P.C. and also taking into consideration the submission of the complainant side, I feel inclined to allow this application.
8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge