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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1346 of 2021**

- Yuraj Patel, S/o Kirtan Patel, aged about 19 years, Occupation – Agriculture, R/o Village Gudeli, Police Station and Tahsil Sarangarh, District Raigarh (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, District Magistrate Raigarh, District Raigarh (C.G.) and Through the Station House Officer, Police Station Sarangarh (Crime No. 606/2020), District Raigarh (C.G.)

---- Non-applicant

For Applicant	:	Shri Manoj Kumar Jaiswal, Advocate.
For Non-applicant/State	:	Shri Alok Nigam, Government Advocate.
For Complainant	:	Shri Suresh Kumar Verma, Advocate.

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

01.07.2021

1. Heard on the application filed under Section 439 of Cr.P.C. This is the first bail application filed for grant of regular bail. The Applicant has been arrested on 05.09.2020 in connection with Crime No. 606 of 2020 registered at Police Station Sarangarh, District Raigarh (C.G.) for the offences punishable under Sections 305, 34 of Indian Penal Code and Section 67, 67 (B) I.T. Act and Section 17 of the Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the Applicant that the Applicant has been falsely implicated in this case. The co-accused (Manoj Patel) in this case was granted bail by this Court on 09.02.2021 in MCRC No. 8394 of 2020. Hence, the Applicant may be granted the bail.
3. The learned counsel for the State opposes the bail application and submits that there is serious allegation against the Applicant, as a result of which the victim of the case has committed suicide. Therefore, the application for bail may be rejected.

4. The counsel for the complainant submit that the complainant has no objection and the complainant herself was present before this Court on 24.06.2021, who had made submission that she has no objection for grant of bail to the Applicant.
5. I have heard the learned counsel for the parties and perused the record.
6. According to the prosecution case, it is alleged that on 03.09.2020 co-accused / Manoj Patel and this Applicant both came to the house of the minor victim and made disclosure that they have in their possession obscene videos of the minor victim and they will make the same viral. The victim then set herself ablaze on 04.09.2020 as a result of which she died. Hence, this case.
7. Considered on these submissions. The deceased had left suicide note, but there is no mention of name of this Applicant and further, the complainant of this case has been examined in the trial who is a hostile witness, regarding which certified copy of her statement has been produced alongwith this application. Hence, under these circumstances, I feel inclined to allow this application.
8. Consequently, the application filed by the Applicant under Section 439 of Cr.P.C for grant of regular bail is hereby allowed.
9. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge