

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1350 of 2021

- Amit Kumar Yadu S/o Shri Ramswarup Yadu, Aged About 26 Years, R/o Krishak Nagar, Jora, P.S. Telibandha, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station New Rajendra Nagar, District Raipur Chhattisgarh

---- Non-applicant

For Applicant – Shri S.P. Sahu, Advocate.

For State/Non-applicant – Shri Alok Nigam, Govt. Advocate.

Shri Aditya Agrawal, Advocate for the objector.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-07-2021

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 24-01-2021 in connection with Crime No.26/2021 registered at Police Station – New Rajendra Nagar, District Raipur, Chhattisgarh for the offence under Section 354 ञ, 506, 509 of the IPC and Section 12 of Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by learned counsel for the applicant, that the applicant has been falsely implicated. He is in jail since about six months. Charge sheet has been filed. The trial is not making any progress. Therefore, it is prayed that the applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that it is a clear case against the applicant supported with evidence. Therefore, he is not entitled for grant of bail.
4. Learned counsel for the objector submits that the victim and her family members are being constantly threatened. The applicant had on one occasion threatened the complainant with dire consequences if she does not withdraw the FIR against him. Therefore, the applicant should not be granted bail.
5. Heard learned counsel for the parties and perused the case diary.

6. According to the prosecution case, it is alleged that this applicant used to stalk the minor victim, harass her by making calls from different numbers and also he used to threaten her for abducting her and also to cause damage to her family members. Therefore, the FIR has been lodged.

7. Considered on the submissions. As the applicant is in jail since about six months and the trial against him is likely to take some time, the grievance of the complainant at present can be redressed by filing separate FIR if such incident has occurred, hence, for these reasons 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