

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1614 of 2021**

Anil Satnami S/o Ramlal Satnami Aged About 20 Years R/o Village Tankidadar, Police Station Beltukri, District Nuapada Odissa.

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station Patewa, District Mahasamund Chhattisgarh.

---- Respondent

For the Applicant : Shri V.K. Pandey, Advocate.
For the Respondent/State : Shri Sameer Uraon, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****16.07.2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.28 of 2020, registered at Police Station – Patewa, District – Mahasamund, Chhattisgarh for the offence punishable under Sections 363, 366 and 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 8.10.2020 and has been falsely implicated in this case. The prosecutrix has been examined in the trial and she has not supported the prosecution case. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. The minor prosecutrix is present before this virtual Court through the Help-Desk of DLSA, Mahasamund. She made a statement that she has no objection in grant of bail to the applicant.

5. Heard counsel for both the parties and perused the case diary.

6. According to the prosecution case, it is alleged that this applicant abducted the minor prosecutrix and then after performing sham marriage with her he had physical relation with her on several occasions knowing well that she is not competent to give such consent.

7. Considered the submissions and the facts present in this case. Perused the certified copy of the deposition of the prosecutrix filed alongwith the application according to which, she is a hostile witness as she has not at all supported the prosecution case. Hence, looking to this development, I feel inclined to grant regular bail to the applicant.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that 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 trial Court, for his appearance as and when

directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nimmi