

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2393 of 2021**

Ravindra Kurre, S/o. Rajkumar Kurre, aged about 29 years, R/o. Village Acholi, Police Station - Palaari, District - Balodabazar Bhatapara Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, Police Station Palari, District Balodabazar Bhatapara Chhattisgarh.

---- Respondent

For Applicant	: Mr. Akhtar Hussain, Advocate
For Respondent/State	: Mr. Devendra Pratap Singh, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

31/03/2021

Heard.

1. Admit.
2. At the consent of both the parties, the matter is heard finally.
3. 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.123/2019, registered at Police Station – Palari, District – Balodabazar – Bhatapara (C.G.) for the offence punishable under Section 363, 366, 376 of the Indian Penal Code and Section 4, 18 of the Protection of Children from Sexual Offences Act, 2012.
4. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The prosecutrix was not minor on the date of incident. Further the applicant and the prosecutrix both have married and the prosecutrix herself has no

objection in grant of bail to the applicant, regarding which, she filed an affidavit before the Sessions Court but that was not considered. Hence, it is prayed that the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
6. I have heard the learned counsel for both the parties and perused the case diary.
7. Case of the prosecution is this that this applicant abducted the minor prosecutrix, kept her in his custody and exploited her sexually.
8. Considered on the submissions. Looking to the statement of the prosecutrix recorded under Section 164 of Cr.P.C. and taking into consideration the facts and circumstances of the case, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
9. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
10. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge