

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3642 of 2021**

Rajendra Kumar Kanwar S/o Shri Bharat Singh Kanwar Aged About 27 Years R/o Ward No. 3, Bajrang Chauk, Gram Panchayat Shukla Bhata, Post Office Beldana, Police Station Magarlod, District Dhamtari Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Magarlod, District Dhamtari Chhattisgarh.

---- Respondent

For the Applicant : Shri S.S. Baghel, Advocate.
For the Respondent/State : Shri Ajay Kumrani, P.L.

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.74 of 2021, registered at Police Station – Magarlod, District – Dhamtari, Chhattisgarh for the offence punishable under Sections 380, 454, 363 and 354 of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 5.3.2021 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. 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. Notice issued to the complainant/ informant has been returned served but there is no appearance or representation.
5. Heard counsel for both the parties and perused the case diary.
6. According to the prosecution case, it is alleged that this applicant broken the door of the house of the complainant and stole cash of Rs.900/- from the Almirah, who was then caught by the complainant. In the meanwhile, the applicant finding an opportunity made his escape on his motorcycle and also took the minor victim/ daughter of the complainant on pretext that her father has met with an accident and he would take her to that place. Subsequently, the victim jumped from the motorcycle and rescued her. Hence, this case.
7. Considered the submissions and the facts present in this case. As the applicant does not have any criminal antecedents, he is a local resident of District Dhamtari and at present, the case is now pending for trial before the trial Court, therefore, I feel inclined to grant bail to the applicant in this case.
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