

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.4503 of 2021

- Hraday Kamal Mandal S/o Sunil Mandal Aged About 24 Years By Caste General, R/o Village P.V. 30, Yogendranagar Pakhanjore, Tahsil Pakhanjore, District U.B. Kanker Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Korar, District U.B. Kanker Chhattisgarh

---- Non-applicant

For Applicant : Mr. Parag Kotecha, Advocate.

For Non-applicant/State : Mr. Shakti Singh, Panel Lawyer.

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

03-08-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is the first bail application filed for grant of regular bail. The applicant has been arrested on 10.06.2021, in connection with Crime No.27/2021, registered at Police Station— Korar, District- U.B. Kanker, C.G. for offence punishable under Sections 363, 366 and 376(2)(n) and 506 of I.P.C. and Sections 04 and 06 of POCSO Act.
2. It is submitted by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. There is totally no case against this applicant. All the allegations are against the co-accused Anil Kumar Thakur, therefore, it is prayed that this applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application

and submits that this applicant had been in company of the main accused, when the offences were committed. Therefore, he is the abettor of the offence. Therefore, it is prayed that this application may be rejected.

4. The prosecutrix is virtually present before this Court through the Help Desk of D.L.S.A. Kanker on notice and she has no objection in grant of bail to the applicant.
5. Heard learned counsel for the parties and perused the case diary.
6. According to the prosecution case, the allegation is against the main accused- Anil Kumar Thakur that he has abducted the minor prosecutrix, kept her in his custody and has also exploited her sexually by putting her under threat on numerous occasions. The only statement against this applicant is that he had been in company of the main accused when the minor victim was abducted. Hence, this case.
7. Considered on the submissions. Looking to the nature of allegations present against this applicant and also that the prosecutrix has no objection in grant of bail to this applicant, 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