

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4426 of 2021

- Purandas S/o Shri Guharam Satnami, Aged About 30 Years, R/o Village Patharia Post Meresara P.S. Ahirwara Tahsil Dhamdha District Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through:- Station House Officer, Police Station Lalbag, District Rajnandgaon Chhattisgarh

----Non-applicant

For Applicant – Shri Deepak Jain, Advocate.

For Non-applicant/State – Smt. Hamida Siddiqi, Deputy Advocate General.

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 first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 28-01-2021 in connection with Crime No.25/2021 registered at P.S. - Lalbag, District Rajnandgaon, Chhattisgarh for the offence under Section 363, 366, 376(2)(ढ), 376(3), 212 of the IPC and Section 4, 6 and 17 of POCSO Act.

2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated. He is in jail since 28-01-2021. This applicant is not main accused in this case. The only allegation against him is this, that he gave shelter to the main accused and the prosecutrix in his house. Therefore, it is prayed that this applicant be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant has facilitated commission of the offence by the main accused, therefore, he is not entitled for grant of bail.

4. Complainant Meenabai is virtually present through Help Desk of DLSA Rajnandgaon. She has 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, co-accused Pinku abducted the minor victim of age 12 years and 3 months who took her to the house of this applicant who is relative of the main accused and he provided shelter to the main accused and the minor prosecutrix, during which the offence of rape was committed by the main accused person.
7. Considered on the submissions. Looking to the nature of allegation against this applicant and also that the trial is likely to take some time, 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