

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4962 of 2021**

Panturam Rana S/o Shri Shyam Singh Rana, Aged About 29 Years R/o
Bandhpara, Police Station - Sonpur, District - Narayanpur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through - SHO, Police Station - Narayanpur, District
- Narayanpur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri V.A. Goverdhan, Advocate.
For the Respondent/State	:	Ms. Shivali Dubey, P.L.
For the Complainant	:	Shri Ravindra Sharma, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****11.08.2021**

Heard.

1. This is the second bail application of the applicant. The first bail application of the applicant was dismissed as withdrawn in M.Cr.C. No. 7505 of 2020 dated 10.12.2020. The applicant has been arrested in connection with Crime No.103 of 2020, registered at Police Station – Narayanpur, District – Narayanpur, Chhattisgarh for the offence punishable under Section 363, 366, 376 and 506 of the Indian Penal Code and Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 28.7.2020 and has been falsely implicated in this case. The prosecutrix has been examined before the trial Court and she has not supported the case of the prosecution. 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. It is submitted that there are other witnesses yet to be examined in the trial. Hence, no case is made out for grant of bail to the applicant.

4. The complainant is represented through counsel and the complainant has no objection in grant of bail to the applicant.

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

6. The prosecution case is that this applicant abducted the minor prosecutrix, kept her in his custody and exploited her sexually knowing well that she is not competent to give such consent regarding which, the FIR has been lodged.

7. Considered the submissions and the facts present in this case. Perused the certified copy of the deposition of the prosecutrix, which is filed alongwith the application which shows that the prosecutrix has not supported the prosecution case in any manner therefore, she has been declared hostile by the prosecution. 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