

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5133 of 2021**

- Hansraj Dev Yadav S/o Lalchand Yadav Aged About 25 Years R/o Village Parsadhodhi, Police Station And Tehsil Dhourpur District Sarguja Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer Police Station Sitapur , District Sarguja Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. A. B. Gopal, Advocate on behalf of Mr. Rahul Agrawal, Advocate
For Respondent-State	:-	Mr. Ashish Tiwari, G.A.

SB.: Hon'ble Mr. Justice Rajendra Chandra Singh Samant
Order On Board

22/10/2021

1. Heard.
2. The applicant has preferred this **second** bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.152/2020 registered in Police Station Sitapur, District Sarguja C.G. for the offence punishable under Sections 366, 376(2)(N) of I.P.C. and Sections 4, 5 and 6 of the Protection of Children

from Sexual Offences Act, 2012.

3. Earlier, the first bail application was dismissed as withdrawn vide order dated 28.01.2021.
4. The applicant is suffering from disease of sickle cell anemia because of which he has to be admitted to hospital from time to time and the only treatment for the disease is blood transfusion, therefore, this cannot continue with convenience while the applicant is in detention in jail, therefore, he may be granted bail.
5. Learned State counsel would oppose the prayer for grant of bail to the applicant. He would submit that looking to the evidence against the applicant, present in the case diary, he is not entitled to be released on bail.
6. The notice was issued to the complainant which has returned served for the fixed date 20.10.2021 but there was no appearance and representation from the complainant's side.
7. According to prosecution case, it is alleged that the applicant has abducted prosecutrix, kept her in custody despite knowing the fact that she is a minor girl he sexually exploited her on number of occasions.
8. Considering all the submissions and the report received

from the concerned jail which shows that the applicant is suffering from of sickle cell anemia and he requires frequent hospitalization for the purpose of blood transfusion hence looking to the medical condition of the applicant, I am inclined to release him on bail.

9. Accordingly, the application is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Certified copy as per rules.

SD/-

(Rajendra Chandra Singh Samant)
Judge

Ayushi