

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5212 of 2021**

Shatrughan Rathore S/o Harisharan Aged About 21 Years R/o Village Seoni,
Police Station Champa, District Janjgir Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through P.S. Lailunga, District Raigarh Chhattisgarh.

---- Respondent

For the Applicant : Shri T.K. Jha, Advocate.
For the Respondent/State : Shri Anil Tripathi, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****18.08.2021**

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.153 of 2021, registered at Police Station – Lailunga, District – Raigarh, Chhattisgarh for the offence punishable under Sections 363 & 366A of the Indian Penal Code and Sections 8 & 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 5.6.2021 and has been falsely implicated in this case. False FIR has been lodged against the applicant only on account of enmity. 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 the prosecutrix has clearly stated against the applicant in her statement under Section 161 of the Cr.P.C. Hence, no case is made out for grant of regular bail to the applicant.

4. Notice issued to the complainant 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 abducted the minor prosecutrix aged about 16 years with intention to marry her and kept her in his custody in his own house for sometime until she was recovered by the police.

7. Considered the submissions and the facts present in this case. Looking to the allegations that are present against this applicant and there is likelihood of delay in the investigation and in the trial, I feel inclined to grant regular 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

Nimmi