

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 5437 of 2021

1. Ajay Das S/o Shri Anandi Das Aged About 24 Years R/o Village P.V. 118, Ratanpur, Thana Pakhanjur, Civil And Revenue District North Baster Kanker Chhattisgarh.

---- Applicant

Versus

1. The State Of Chhattisgarh Through The Station House Officer Police Station Pakhanjur, District North Baster Kanker Chhattisgarh.

---- Respondent

For Applicant

Mr. Sunil Sahu, Advocate

For Respondent /State

Mr. Anshuman Shrivastava, Panel Lawyer

Order on BoardByHon'ble Shri Justice Goutam Bhaduri9/12/2021

1. Heard.
2. The applicant has preferred this bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No.189/2019, registered at Police Station Pakhanjur, District North Baster, Kanker (CG), for the offence under Sections 363, 366, 376 of the Indian Penal Code; Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012; and Sections 3(1)(B), 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. As per the prosecution case the victim, who is minor, came in physical contact with the present applicant and became pregnant.

4. Learned counsel for the applicant would submit that the victim has been examined before the Court below and has not proved the case of the prosecution.
5. Learned counsel for the State, per contra, would oppose the bail application.
6. The prosecutrix along with guardian appeared before this Court on 8-12-2021 through Video Conferencing from DLSA, Kanker and consented that she has no objection for grant of bail to the applicant.
7. Considering the entire facts situation of the case and particularly considering the statement of the prosecutrix; as also for the fact that the applicant is in jail since 20-12-2019 and the charge sheet has already been filed, I am of the opinion that present is a fit case to release the applicants on regular bail.
8. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in 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.
9. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
Judge

Gowri