

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5896 of 2021

- Ajay Kumar Kol S/o Shri Gorelal Kol, Aged About 20 Years, R/o Ward No. 04, Dafai No. 1, Jhagarakhand, Tahsil Manendragarh District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, Jhagrakhand, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

----Non-applicant

For Applicant – Mr. C.K. Kesharwani, Advocate.

For Non-applicant/State – Ms. Shivali Dubey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-09-2021

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 13-06-2021 in connection with Crime No.128/2021 registered at P.S. - Jhagrakhand, District Koriya, Chhattisgarh for the offence under Section 363, 366, 376 (2) (N), 34 of the IPC and Section 4 and 6 of Protection of Children from Sexual Offences Act, 2012.
2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated. He is in jail since 13-06-2021. The main allegation is against co-accused Anil. The only allegation against this applicant is this, that he gave lift to co-accused Anil and the victim on his motorcycle, therefore, he has not committed any offence. Hence, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. The prosecutrix is virtually present through Help Desk of TLISA Manendragarh, District Koriya and she has no objection in grant of bail.

5. Heard learned counsel for the parties and perused the case diary.
6. According to the prosecution case, co-accused Anil abducted the minor prosecutrix in which this applicant gave assistance by giving them lift on his motorcycle. Subsequent to which, the minor prosecutrix was confined and sexually exploited by the co-accused. Hence, this case.
7. Considered on the submissions. Looking to the limited allegation present against this applicant, 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