

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 8058 of 2021**

- Dinesh Banjare @ Deena, S/o Jawahar Lal Banjare, Aged About 24 Years R/o Ward No. 08, Near Bijali Office, Abhanpur, Police Station Abhanpur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh, Through - Station House Officer, Police Station Abhanpur, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

**---- Respondent**

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| For Applicant        | : | Mr. C.R. Sahu and Mr. S.P. Sahu, Advocate |
| For Respondent/State | : | Mr. Pawan Kesharwani, Panel Lawyer.       |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order On Board**

**24/11/2021**

1. This is the 3<sup>rd</sup> bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973. His first application MCRC No.3197 of 2020 vide order dated 30.06.2020 was dismissed and his Second bail application MCRC No.4465 of 2020 was also dismissed on 29.09.2020.
2. This bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No. 115/2019 registered at Police Station Abhanpur, Raipur, District Raipur (C.G.) for the offence punishable under Section 363, 376, 506 of the Indian Penal Code and Section 4 of the Protection of Children From Sexual

Offences Act, 2012.

3. It is submitted that the applicant is innocent who has been falsely implicated in this case. The applicant is in jail since 02.07.2019. The prosecutrix has examined in the trial Court and she has not supported the prosecution case, therefore, prayer is made to release the applicant on bail.
4. Per contra, learned State counsel opposes the bail application.
5. The mother of the prosecutrix is virtually present before this Court through the 'Help Desk' of DLSA Raipur on notice. She has stated that she has no objection in grant of bail to this applicant.
6. I have heard the learned counsel for both the parties and perused the case diary.
7. According to the prosecution case, it is alleged that this applicant abducted the minor prosecutrix, kept her in his custody for some time and during that period he sexually exploited.
8. Considered on the submissions. Perused the certified copy of deposition of the prosecutrix, which shows that she has not supported the prosecution case, therefore, I feel inclined to allow the bail application of this applicant.
9. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge