

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.9332 of 2020

- Vikram Chouhan @ Vicky S/o Kartikram Chouhan Aged About 19 Years
R/o Village Dansara Pdhar Para P.S. Sarangarh District Raigarh
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Thana In Charge, Kotra Road, Raigarh
District Raigarh Chhattisgarh

---- Non-applicant

For Applicant : Mr. Rajendra Tripathi, Advocate.

For Non-applicant/State : Ms. Beenu Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-03-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is the first bail application filed for grant of regular bail. The applicant has been arrested on 26.10.2020, in connection with Crime No.204/2020 registered at Police Station-- Thana Kotra Raod, Raigarh, District- Raigarh, C.G. for offence punishable under Section 363, 366 and 354 of I.P.C. and Sections 08 and 12 of POCSO Act.
2. It is submitted by the learned counsel for the applicant, that the applicant is innocent and has been falsely implicated in this case. The applicant is in jail since 26.10.2020. According to the statement of prosecutrix under Section 164 of Cr.P.C., no case is made out against this applicant. Therefore, it is prayed that this application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application

and submits that the statement of prosecutrix under Section 161 of Cr.P.C. makes clear allegations against the applicant regarding outraging the modesty of the prosecutrix/victim. Therefore, it is prayed that this application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, it is alleged that this applicant abducted the minor prosecutrix kept her in his custody and by use of physical force, he also outraged her modesty. Hence, this case.
6. Considered on the submissions. Investigation in this case has been completed and the case is now pending for trial and I find no specific reason to keep the applicant in continuous detention. Hence, I feel inclined to allow this application.
7. Consequently, this application filed by the applicants 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 two local surety each in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge