

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.843 of 2016**

Imran Khan alias Sahil S/o Mohammad Manjur, aged about 22 years, R/o Ward No.9, Manendragarh, Police Station & Tahsil Manendragarh, District Korea (CG)

---Applicant**Versus**

State of Chhattisgarh Through Incharge Police Station Manendragarh, Distt.Korea C.G.

---Non-applicant

For Applicant	:	Mrs. Usha Chandrakar, Advocate
For Non-applicant	:	Mr. Adhiraj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/03/2016**

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.208/2015, registered at Police Station-Manendragarh, District-Korea (C.G.), for the offence punishable under Sections 366, 376, 506 & 342 of the IPC and Section 66(1) of the I.T. Act.

2. Case of the prosecution, in brief, is that on 19.8.2015 the applicant abducted the prosecutrix and committed sexual intercourse with her on the pretext of marriage and also wrongfully confined her.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. She would further submit that false case has been registered against the present applicant as F.I.R. was lodged on

11.9.2015 and the prosecutrix was major and consenting party. She also submit that earlier occasion the prosecutrix has also gone with the applicant, which is apparent from the statement recorded by the Sub-Divisional Magistrate, Manendragarh on 27.5.2015 and there is no medical evidence.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of the offence; her previous statement; her age; extent of delay in lodging the F.I.R.; pre-trial detention of the applicant and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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 trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-