

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC No. 5527 of 2018**

- Mukesh Nirala S/o Dhaniram Nirala Aged About 20 Years R/o- Lakhuridih, P.S. Sarsiva, District Balodabazar-Bhatapara, Chhattisgarh., District : Balodabazar-Bhatapara, Chhattisgarh

---- Applicant

**Versus**

- State Of Chhattisgarh Through- The Station House In-Charge, Police Station Sarsiva, Balodabazar, District- Balodabazar Bhatapara, Chhattisgarh.

---- Respondent

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| For Applicant        | : Ms. Supriya Upasane, Advocate. |
| For Respondent/State | : Shri Bhaskar Pyashi, PL.       |

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**27/08/2018**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 87/2018, registered at Police Station Sarsiva, District Balodabazar-Bhatapara(C.G.) for the offence punishable under Sections 363, 366, 376 of the IPC and Section 4 & 18 of the POCSO Act.
2. As per the prosecution story, it is alleged that applicant allured prosecutrix aged about 16 years 4 months, on the pretext of marrying her and took her to Jammu where he developed physical relations with her. On the basis of above offence has been registered and the applicant was arrested on 20.04.2018.
3. Ms. Supriya Upasane, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case. She further submits that there was a love relationship between the prosecutrix and the present applicant,

prosecutrix left her house on her own will. She submits that applicant is in custody since 20.04.2018, charge-sheet has already been filed and trial will likely to take some time, therefore, applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution. Further considering the fact that the applicant is in custody since 20-04-2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety in the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**

**Judge**