

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6124 of 2018

- Mahesh Baghel S/o Lachchu Aged About 22 Years R/o- Bakawand, Block Colony, Tahsil Bakawand, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur)

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station Nagarnar, Civil And Revenue District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur)

---- Respondent

For Applicant	: Shri Punit Ruparel, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/09/2018

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. 89/2018, registered at Police Station Nagarnar, District Bastar (C.G.) for the offence punishable under Sections 363, 366 & 376 of the IPC and Section 4 & 6 of POCSO Act 2012.
2. As per the prosecution story, on 01-06-2018 father of the prosecutrix made a written complaint that his daughter aged about 17 years 2 months was missing. On the basis of said report, offence has been registered against unknown person. Allegedly applicant abducted the prosecutrix on the protest of marriage and committed sexual intercourse with her. Applicant has been arrested on 22-06-2018.
3. Learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case. He further submits that in the statement of prosecutrix recorded under Section 164 of Cr.P.C. she has not been stated

anything against the present applicant, applicant is in custody since 22-06-2018 and trial will 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 statement of prosecutrix recorded under Section 164 of Cr.P.C. she has not been stated anything against the present applicant, applicant is in custody since 22-06-2018 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 solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge