

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7002 of 2018

- Ghanshyam Singh Rajput S/o Dilharan Singh Rajput Aged About 25 Years R/o Village - Navadih Utarda, Out Post Hardi Bazar, Police Station Kusmunda, District - Korba, Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station A.J.K. Korba, District - Korba, Chhattisgarh.,

---- Respondent

For Applicant	: Shri Dharmesh Shrivastava, Advocate
For Respondent	: Shri Aditya Sharma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/10/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.110/2018 registered at police station A.J.K. district Korba (CG) for the offence punishable under Sections 363,366 & 376 IPC; Sections 3 & 4 of the Protection of Children from Sexual Offences Act and Section 3(2)(5) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act.

As per prosecution case, on 02.05.18, report was lodged by mother of the prosecutrix that her daughter aged about 17 years is missing since 30.04.2018. It was further case of the prosecution that as the applicant Ghanshyam was also not found in his house, it was suspected that they might have eloped search was made out and the prosecutrix was recovered from the custody of applicant.

Counsel for the applicant submits that the applicant has been falsely implicated and that the prosecutrix had gone of her own with the applicant and that she is major. He further submits that the applicant is in jail since 18.05.2018 and the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 20,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge