

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7736 of 2017**

- Dinesh Kumar Kosre S/o Mansharam Kosre, Aged About 22 Years R/o Amlidih, Chauki Chichola District Rajnandgaon Chhattisgarh, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Thana Chichola, District Rajnandgaon Chhattisgarh, Chhattisgarh

**---- Respondent**

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For Applicant : Mr. Samir Singh, Advocate.  
For Respondent : Mr. Vijay Bahadur Singh, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order On Board**

**17/01/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.14/2017, registered at Police Thana-Chichola, District– Rajnandgaon(C.G.) for the offence punishable under Sections 363, 366 & 376 of Indian Penal Code (for short 'IPC') and Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant and prosecutrix had love affair. The prosecutrix in this case is a major girl above 18 years of age, which is confirmed by the report of radiologist which is a part of the charge-sheet. Applicant and the prosecutrix have married in Aarya Samaj Society, Raipur, and were living together when the

prosecutrix was forced to leave the applicant because of the FIR lodged by the mother of the prosecutrix. Hence, prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. A missing report was lodged by mother of the prosecutrix on 2.2.2017. prosecutrix was recovered from the possession of applicant on 3.9.2017. Subsequently, a case has been investigated and charge-sheet has been filed.
6. Considered the submissions made and contents of the case diary and also the documents attached with the application namely. The certified copy of the affidavit given by the prosecutrix before the trial Court. Taking into consideration all the facts and circumstances of the case, I am of this view that applicant deserves to be benefited with grant of regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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/-**  
**(Rajendra Chandra Singh Samant)**  
Judge