

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8403 of 2018**

- Dhanraj @ Golu Jangde S/o Sudin Das Jangde Aged About 25 Years R/o Nehru Nagar Muktidham Sector-05, Balco, Thana Balco Nagar, District - Korba, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station - Kotwali, District - Korba, Chhattisgarh.

---- Respondent

For Applicant	: Shri K.K. Dewangan, Advocate.
For Respondent/State	: Shri R.K. Jaiswal, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**14/11/2018**

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. 290/2018, registered at Police Station – Kotwali, District - Korba, (C.G.) for the offence punishable under Sections 363, 366 (a), 376 (2) (N) of I.P.C. and Section 6 of POCSO Act, 2012.
2. As per the prosecution story, on 03.05.2018, sister of prosecutrix namely Rashmi Sahu, lodged a missing report of her sister (prosecutrix), aged about 17 years and 6 months. On the basis of the said report, initially offence under Section 366 of IPC has been registered. Later, on the basis of statement of the prosecutrix under Section 161 of Cr.P.C., other offences has been added. Applicant has been taken into custody on 16.05.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that there was a love relationship between the

prosecutrix and the Applicant. He also states that the prosecutrix is a major girl and she herself left the house and went alongwith the Applicant. In her Court statement she has not supported the case of the prosecution and turned hostile. The Applicant is in custody since 16.05.2018 and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the prosecutrix, in her statement has not supported the case of the prosecution and turned hostile, he is in custody since 16.05.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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