

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1336 of 2019

Naveen Dodwani, at present aged about 27 years, S/o late Arjun Das Dodwani,
R/o New Panchsheel Colony, Mamta Nagar, P.S. Kotwali, Tahsil and District
Rajnandgaon (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Kotwali, District Rajnandgaon (CG).

---- Non-applicant

For Applicant	: Mr. Parag Kotecha, Advocate.
For Non-applicant	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

24.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with crime No.185/2016 registered at Police Station Kotwali, District Rajnandgaon for the offence punishable under Sections 363, 366, 376(2) of Indian Penal Code and Section 6 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief is that on 09.03.2016, the prosecutrix was more than 17 years of age. She is resident of Mamta Nagar, Rajnandgaon. She and applicant were agreed to perform the marriage after absconding. On 09.03.2016, he committed sexual intercourse with her on the roof of her house. On 10.03.2016 he took her by enticing on the pretext of marriage. He put vermilion on her forehead and put on necklace on her neck at Temple in Pune and, thereafter, they started to live as husband and wife.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes bail application. However, he submits that previously no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-