

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3010 of 2019**

- Bhupesh Makhija, S/o - Mahesh Makhija, Aged About - 35 years, R/o – Sagar State Colony Saraipali, District - Mahasamund (C.G.)

---- **Petitioner****Versus**

- State of Chhattisgarh, Through - The Police Station Mouhdapara, District - Raipur (C.G.)

---- **Respondent**

For applicant	: Shri Pravin Kumar Tulsyan, Advocate
For respondent/State	: Shri H. S. Ahluwalia, Dy. A. G.

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****07.06.2019**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 24.03.2019 in connection with Crime No. 79 of 2019 registered at Police Station Mouhdapara, District Raipur (C.G.) for the offence punishable under Sections 317, 34 of IPC and under Sections 75, 80, 81 of Juvenile Justice (care and protection of children) Act, 2015.
2. As per version of the prosecution, the present applicant and other persons adopted the child without following proper process in accordance with law, which amounts to abandonment of the child.
3. Learned counsel for the applicant submits that the applicant- Bhupesh Makhija is issue-less and he adopted the child as per prescribed procedure. He further submits that the allegations leveled against the present applicant are not made out, investigation is completed, charge-sheet has been filed and has been falsely implicated. He further

submits that the applicant is in jail since 24.03.2019 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the application for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the submission of learned counsel for the parties, nature of allegations, the applicant is in jail since 24.03.2019, investigation is complete, charge sheet has been filed, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 20,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Sd/-

(Ram Prasanna Sharma)

VACATION JUDGE