

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4276 of 2019

- Dipesh Kumar Koshle S/o Jai Kumar Koshle Aged About 22 Years R/o Village Kot, Police Station Sarsiwa, District (Revenue And Civil) - Balodabazar -Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - Sarsiwa, District (Revenue And Civil) - Balodabazar - Bhatapara Chhattisgarh.

---- Respondent

For Applicant	: Shri Sumit Jhawar, Advocate
For Respondent/State	: Shri I.Lakra, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

01/08/2019

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. 151/2019 registered at police station Sarsiwa district Baloda Bazar, Bhatapara (CG) for the offence punishable under Sections 366 and 366 IPC and Section 18 of the Protection of Children from Sexual Offences Act.

As per case of the prosecution, on 02.05.2019 when the prosecutrix was sleeping with her sister in the roof, at about 1-2.00 am, the applicant jumped down from the wall, came there and asked the prosecutrix, who is minor to come along with him as he loves her and willing to marry her.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that there was love affair between the applicant and the prosecutrix and on the pretext of marriage, he made an attempt to elope with her. He submits that the applicant is in jail since 05.5.19 and the trial may take some time for its disposal and therefore he 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 nature of allegations against the applicant, I am inclined to release him on regular 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. 25,000/- 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