

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4277 of 2019**

- Mahesh Sonwane son of Mohandas Sonwane, aged about 22 years, resident of Parrapur, P.S. Baihar, District Balaghat (M.P.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station, Pipariya, District Kabirdham (C.G.)

---- Respondent

For Applicant	:	Ms. Laxmeen Kashyap, Advocate.
For Respondent	:	Shri I. Lakra, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01/08/2019**

1. 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 since 31.05.2019 in connection with Crime No.02/2019 registered at Police Station, Pipariya, District Kabirdham (C.G.) for the offence punishable under Sections 363, 366, 376 IPC and Sections 3 & 4 of Protection of Children From Sexual Offences Act (for short 'the POCSO Act').
2. The prosecution case, in brief, is that the applicant used to talk with prosecutrix, aged about 16 years, over telephone and on 08.12.2017 he called the prosecutrix saying that he would marry her and took her to Hyderabad where they performed marriage, started residing as husband and wife, committed sexual intercourse many a time, as a result of which she conceived. Based on this, FIR was lodged against

and offence was registered against the applicant under Section 363, 366, 376 and Section 3 & 4 of the POCSO Act.

3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the case. It has been also submitted that the applicant is in jail since 31.05.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be granted bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Having heard learned counsel for the parties and having regard to the fact that the applicant is languishing in jail from 31.05.2019, charge sheet has already been filed and that the final disposal of the case will take some time, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-

(Rajani Dubey)
Judge