

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4572 of 2019

- Dhaneshwar Kumar Shandilya S/o Shri Uttara Kumar Aged About 21 Years R/o Village Latiya, P.S. Akaltara, District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O. P.S. Champa, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	: Shri Ravindra Sharma, Advocate
For Respondent /State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/08/2019

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. 207/2019 registered at police station Champa, district Janjgir-Champa (CG) for the offence punishable under Sections 363,376 IPC and Section 4 & 6 of the Protection of Children from Sexual Offences Act.

According to the prosecution case, on 01.06.19, brother of the prosecutrix lodged a complaint against the applicant that he took away his sister from the lawful custody of her guardian and had developed physical relations with her on the pretext to marry her.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime on account of some family dispute. He

further submits that the applicant is in jail since 14.06.2019 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 allegation 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