

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4739 of 2019**

Leeladhar Banjare S/o Shri Jayanturam Banjare, aged about 20 years R/o Village Kalle, Post Office Police Station & Tahsil Kurud, District Dhamtari (C.G.).

**--- Applicant****Versus**

State of Chhattisgarh Through the Station House Officer, Police Station Kurud, District Dhamtari (C.G.)

**---- Respondent**


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| For Applicant  | : | Mr. Shivendu Pandaya, Advocate |
| For Respondent | : | Mr. Anand Verma, PL            |

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Hon'ble Shri Justice Arvind Singh Chandel

**Order on Board****19/08/2019**

1. The Applicant has preferred this First Bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 193/2019 registered at Police Station Kurud, Chowki Birejhar, District Dhamtari (C.G.) for the offence punishable under Sections 363, 366 & 376 of the IPC and Section 6 of the POCSO Act.
2. In this case, the age of the Prosecutrix was about 17 years 1 month at the relevant time. On 13/04/2019, father of the Prosecutrix lodged a missing report of his daughter. On the basis of said report, initially offence under Section 363 of the IPC has been registered. After recovery of the Prosecutrix, her statement was recorded. Thereafter, on the basis of her statement, other offences have been added. The Applicant has been arrested on 13/04/2019.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated due to some dispute with the family member of the Prosecutrix. He further submits that the Prosecutrix has already been examined before the trial Court and she has not supported the case of the prosecution and has turned hostile. It is further submitted that the Applicant is in custody since 13/04/2019, charge-sheet has been filed and trial will take time, therefore, the Applicant may be released on bail.
4. Counsel appearing on behalf of the State also opposes the bail application.
5. I have heard counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Prosecutrix has not supported the case of the prosecution and has turned hostile, the Applicant is in custody since 13/04/2019, charge-sheet has been filed and trial will take time, without further commenting on merit of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his furnishing a personal bond of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

**Sd/-**  
**(Arvind Singh Chandel)**  
**Judge**