

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4778 of 2019**

- Milan @ Atul Sende S/o Lalit Sende, aged about 22 years
R/p Shivrinar District Rajnandgaon, District Rajnandgaon
(C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, through Station House Officer Mohan
Nagar, District Durg (C.G.)

---- Respondent_

For Applicant	:	Shri Avinash Chand Sahu, Adv.
For Respondent/State	:	Shri B.L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19.08.2019**

1. The accused/applicant has moved this bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 142/2019 registered at Police Station Mohan Nagar, District Durg (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC & Sections 3, 4 of Protection of Children from Sexual Offence Act 2012.
2. The prosecution story, in brief is that a missing report of prosecutrix was lodged by her father that since 11.04.2019 her daughter is missing and after investigation, it is found that present applicant had abducted prosecutrix and took her to Dongargarh and solemnized marriage and established illegal sexual relationship with her thereafter, she was recovered from possession of the present

applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant has no criminal background. The applicant is in jail since 14.04.2019, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 14.04.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**