

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5303 of 2019

- Nasruddin Qureshi @ Nasru @ Fayaz S/o Shahabuddin Qureshi
Aged About 20 Years R/o Village Doothkaitha, P. S. Rajim, District
Gariyaband Chhattisgarh, District : Gariyabandh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Rajim, District Gariyaband
Chhattisgarh, District : Gariyabandh, Chhattisgarh

---- Respondent

For Applicant : Shri Pragalb Sharma, Advocate
For Respondent/State : Shri Wasim Miyam, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

23.10.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.75/2019, registered at Police Station Rajim, District Gariyaband(CG) for the offence punishable under Sections 363, 366, 376 (2), 109 of the IPC and Sections 6 & 17 of the Protection of Children from Sexual Offences Act, 2012.
3. As per the case of prosecution, father of the prosecutrix lodged a report that the applicant along with co-accused abducted his minor girl and committed rape with her.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix is a consenting party and co-accused has already been enlarged on bail by this Court vide order dated 14.6.2019 in MCRC No.

3588/2019. He further submits that the prosecutrix is aged more than 17 years and trial may take some time for its final disposal therefore, the applicant may also be released on bail on the ground of parity.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the co-accused has already been enlarged on bail, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE