

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5517 of 2019**

- Raghuvir Verma S/o Late Nandkumar Verma, aged about 23 years, R/o Naardha, P.S. Jamul, District Durg (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Jamul, District Durg (C.G.)

---- Respondent

For Applicant	:	Shri Avinash Chand Sahu, Advocate
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****05/11/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.85/2019 (wrongly mentioned as 142/2019 in first page of the impugned order), registered at Police Station - Jamul, District Durg (C.G.) for the offence punishable under Sections 363, 366, 376 IPC and Section 5(L) and 6 of POCSO Act, 2012.
2. The prosecution story, in brief, is that on 20.02.2019, the prosecutrix lodged a complaint against the applicant alleging in it that on 22.02.2019, the applicant took her to various places at Raipur and committed sexual intercourse with her many times on the false pretext of marriage and after sexual intercourse he denied for marriage. Based on this report, offence has been registered. Present applicant has been

taken into custody on 26.03.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix is aged about 18 years and she was consenting party to the act of the applicant. He also submits that before the Court below the prosecutrix has turned hostile. He also submits that the applicant is in custody since 26.03.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on 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. Considering the facts and circumstances of the case, and further considering the fact that the prosecutrix turned hostile, the applicant is in custody since 26.03.2019, and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge