

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5264 of 2019

- Limendra Kumar Gotame S/o Hariram Gotame Aged About 27 Years R/o Lurkajhar, Police Station Dondi Lohara, District Balod Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station - Dondi Lohara, District Balod Chhattisgarh.,

---- Respondent

For Applicant	: Shri Anil Gulati, Advocate
For Respondent/State	: Shri Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

08/11/2019

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.21/2019 registered at police station Dondi Lohara, District Balod (CG) for the offence punishable under Sections 363,366 (A) and 376 IPC and Sections 5 (f) and 6 of the Protection of Children from Sexual Offences Act.

Case of the prosecution in brief is that missing report was lodged by the father of the prosecutrix alleging that his daughter is missing. It is further alleged that the prosecutrix voluntarily left the house of her own with the applicant and roamed to various places for three months and developed physical relations on the pretext of

marriage.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He further submits that the prosecutrix was consenting party and she left her parents' house of her own and left with the applicant. He submits that the applicant is in jail since 14.5.2019; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of 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 in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge