

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5493 of 2019**

- Devsingh @ Dipak Shyam S/o Feruram Gond Aged About 26 Years R/o Village Vicharpur, Police Station Kukdur, District Kabirdham Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kukdur, District Kabirdham Chhattisgarh.

---- Respondent

**MCRC No. 5680 of 2019**

- Kangres @ Lallu Maravi S/o Shyamlal Aged About 19 Years R/o Village Vicharpur, Police Station Kukdur, District Kabirdham Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kukdur, District Kabirdham Chhattisgarh.

---- Respondent

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For Applicants : Mr. Dharmesh Shrivastava, Advocate.  
For Respondents/State : Mr. Anil Tripathi, PL.

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**Hon'ble Smt. Justice Rajani Dubey**  
**Order On Board**

**11/11/2019**

1. Since both the petitions (MCRC Nos. 5493/2019 & 5680/2019) arise out of the same Crime No.(55/2019), they are being disposed of by this common order.
2. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 55/2019 registered at Police Station – Kukdur District Kabirdham (C.G.) for the offence punishable under Sections 363, 366, 366A, 376/34 of IPC and Section 4 & 6 Protection

of Children from Sexual Offences Act, 2012.

3. According to the prosecution story, the complainant lodged a written report in police Station Kukdur alleging therein that her daughter went anywhere without informing them. They had searched her and got known that the applicant has taken the prosecutrix with him. After completion of investigation applicants were arrested and offences was registered against the applicants.
4. Learned counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further submits that the age of the prosecutrix is above 17 years. They are in jail since 30.06.2019. They have no previous antecedent and trial will take some time, therefore, they may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, the detention period of the applicant, age of the prosecutrix and further considering the fact that the applicants are in jail since 30.06.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- each, with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-  
(Rajani Dubey)  
Judge