

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5658 of 2019**

- Manuar Khan S/o Late Masir Khan, Aged About 25 Years, R/o - Kandri, Police Station - Chando, District - Balrampur-Ramanujganj, Chhattisgarh.

---- Applicant• **Versus**

- State Of Chhattisgarh Through - Out-Post-Ganesh Mod, Police Station - Balrampur, District - Balrampur-Ramanujganj, Chhattisgarh

---- Respondent

For Applicant	:	Shri Pushkar Sinha, Advocate
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/11/2019**

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.53/2019, registered at Police Station - Out-Post-Ganesh Mod, P.S. Balrampur (C.G.) for the offence punishable under Sections 363, 366, 376 IPC and Sections 5 & 6 of POCSO Act.
2. The prosecution story, in brief, is that on 19.03.2019, the applicant, after alluring the prosecutrix, took along with him and committed forcible sexual intercourse with her. Based on this, offence has been registered. Present applicant has been taken into custody on 04.04.2019.
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 was a consenting party to the act of the applicant. He also submits that the present

applicant is in custody since 04.04.2019, 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 applicant is in custody since 04.04.2019 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