

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5807 of 2019

- Adarsh Agrawal S/o Shatruhan Agrawal Aged About 18 Years
R/o Infront Of Harsh Tower, Kamal Vihar, Raipur, Police Station
City Kotwali, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station City Kotwali, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Shri Y.C.Sharma, Advocate
For Respondent/State	: Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

07/11/2019

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.04/2019 registered at police station City Kotwali, District Raipur (CG) for the offence punishable under Section 376, 384 and 509 (B) IPC and Section 5(g) of the Protection of Children from Sexual Offences Act and Section 67(B) of the Information Technology Act.

Case of the prosecution in brief is that the applicant had developed friendship with the prosecutrix through Instagram and thereafter became intimate and had developed physical relations. It is alleged that the applicant had also prepared videos and threatening

the prosecutrix that he will make the videos viral.

Counsel for the applicant submits that the applicant has been falsely implicated and that in the statement of the prosecutrix recorded under Section 164 Cr.P.C. she has turned hostile. He submits that the applicant is in jail since 06.01.19; 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