

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5942 of 2019**

- Deepak Kumar S/o Jubel Kujur Aged About 21 Years Caste - Urown, R/o Village - Bhandratoli - Ranpur, Police Station - Naraypur District Jashpur Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Bagicha, District - Jashpur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sanjeev Kumar Sahu, Advocate.
For Respondent	:	Mr. Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 109/2019 registered at Police Station - Bagicha, District Jashpur (C.G.) for the offence punishable under Sections 363, 376 of IPC and Section 4 & 6 of Protection of Children from Sexual Offences Act 2012.
- The prosecution story in brief is that, allegation against the present applicant is that on the pretext of marriage, applicant committed sexual intercourse with the prosecutrix. Thereafter, offence has been registered against the applicant and he was arrested on 03.08.2019.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the age of the prosecutrix is about 17 years and the applicant is in jail since 03.08.2019, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, age of the prosecutrix and further considering the detention period of the applicant, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge