

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5923 of 2019**

- Ansh @ Kalu Goyal S/o Shivshankar Aged About 19 Years R/o Manipur Police Chowki, Manipur, Police Station Ambikapur, District- Surguja, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Chowki Manipur, Police Station, Ambikapur, District- Surguja, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Manoj Paranjape, Advocate.
For Respondent	:	Mr. Anil Tripathi, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12/12/2019**

- Pursuance to order dated 18.11.2019 of this Court, prosecutrix with her father is present today. On being asked, she has made no objection regarding grant of bail to the applicant.
- Her presence be marked.
- 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. 490/2019 registered at Police Chowki, Manipur, Police Station Ambikapur, District- Surguja, Chhattisgarh for the offence punishable under Sections 363, 366, 342, 354, 376(2)(a) of IPC and Section 6 & 17 of Protection of Children from Sexual Offences Act, 2012.
- According to the prosecution story, complainant Amresh Thakur lodged a missing report of her 14 year old daughter and her friend to the concern police station. After completion of

investigation, prosecutrix and the daughter of the complainant were taken into custody from Sandbar, Vandevi Temple, their statements were recorded and thereafter, present applicant and other co-accused have been arrested for subjecting forcible sexual intercourse with the prosecutrix.

- Learned counsel appearing on behalf of the Applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the main allegation is against main accused Shubham Sahu. The applicant is in custody since 13.08.2019 and trial will take some time, therefore, he may be released on bail.
- Per contra, learned counsel appearing on behalf of the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Considering the facts and circumstances of the case, the detention period of the applicant, and further considering the fact that the main allegation is against other co-accused person and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one 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