

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6034 of 2019**

- Shrawan Telasi S/o Late Jeet Khan Telasi Aged About 20 Years, Caste Dewar, R/o Village Pinkapar, Police Station Devri, District- Balod, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : The Police Station Somni District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. S.S. Baghel, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 143/2019 registered at Police Station Somni, District-Rajnandgaon (C.G.) for the offence punishable under Sections 363, 366, 376 (2) of the IPC and 6 of the POCSO Act.
2. The prosecution story, in brief is that, the complainant lodged a written missing report of his daughter Ku. Ganeshi Dewar. During the investigation it was found that the present applicant allured the prosecutrix and on pretext of marriage committed sexual intercourse with her. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that as per the Aadhar Card the age of the prosecutrix is 17 years and 3 months and they have love affair with

each other. The applicant is in jail since 28.07.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that as per the Aadhar Card the age of the prosecutrix is 17 years and 3 months and they have love affair with each other. The present applicant is in jail since 28.07.2019 and 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.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**