

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6164 of 2019**

- Vikash Yadav S/o Late Prahlad Yaav Aged About 23 Years R/o Ward No. 7, Ganj Para Dhamdha, District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Dhamdha, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. G.R. Burman, Advocate.
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/12/2019**

- Pursuance to order dated 19.11.2019 of this Court, Prosecutrix with his mother is present today before this court. On being asked, she has made 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. 100/2019 registered at Police Station Dhamdha, District Durg (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 5(२) & 6 of Protection of Children from Sexual Offences Act, 2012.
- According to the prosecution story, prosecutrix (minor) being unhappy with her parents, went with the applicant to his maternal

house, where applicant established physical relation with her. On that basis of complaint FIR has been registered against the applicant and he has been arrested.

- 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 there was love affairs between applicant and prosecutrix. The applicant is in custody since 22.06.2019 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 as complainant has made no objection before the Court regarding the bail of applicant 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