

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6549 of 2019

- Jitendra @ Jittu S/o Shri Krishna Sahu Aged About 34 Years R/o Gandhi Chowk, Mahamaya, Police Station Mahamaya, Dallirajhara, District Balod, Chhattisgarh, At Present R/o Sadakpara, Village Chandrakhuri, Police Station Pulgaon, Tahsil And District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant	: Shri Jitendra Gupta, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

02/12/2019

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. 304/2019 registered at police station Pulgaon, District Durg (CG) for the offence punishable under Sections 363 and 366 IPC.

Case of the prosecution in brief is that report was lodged by the complainant against the applicant that he took his daughter from lawful guardianship on the pretext of marriage.

Counsel for the applicant submits that the prosecutrix left with the applicant of her own as they were having love affair He submits

that the prosecutrix is aged more than 16 years of age and there is no allegation of rape against him. He submits that the applicant is in jail since 18.07.2019; 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