

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6220 of 2019

- Raja @ Lilaram Kosre S/o Late Sonuram Kosre Aged About 25 Years R/o Kholipara Ward No. 02, P.S.- Nayapara, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Rajim, District- Gariyaband, Chhattisgarh., District : Gariyabandh, Chhattisgarh

---- Respondent

 For Applicant : Smt. Indira Tripathi, Advocate
 For Respondent/State : Shri Akhtar Hussain, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

02.12.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.340/2018, registered at Police Station Rajim, District Gariyaband(CG) for the offence punishable under Sections 363, 366, 376(2)(3) of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
3. As per the case of prosecution, the applicant taken away the prosecutrix and committed sexual intercourse with her.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix is aged more than 17 years and she herself had gone to the applicant. She further submits that the applicant is in custody since

30.12.2018 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the prosecutrix is aged above 17 years, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE