

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6336 of 2019**

- Anand Baghel S/o Butiya Baghel, aged about 25 years, residing at village Karanji Dabdigudapara, Tahsil Tokapal District Bastar (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Police Station Parpa, District Bastar (C.G.)

---- Respondent

For Applicant	:	Shri Anil Gulati, Adv.
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****27/11/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.95/2019, registered at Police Station - Parpa, District Bastar (C.G.) for the offence punishable under Sections 363, 366(A), 376 IPC, Section 6 of Protection of Children from Sexual Offences Act and Section 3 (2) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. The allegation against the present applicant is that he abducted the prosecutrix and took her with him to Odisha where he committed sexual intercourse with the prosecutrix many times on the false pretext of marriage. Based on this, offence has been registered. The present applicant has been taken into custody on 28.05.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that the prosecutrix has turned hostile and has not stated anything against the applicant. He also submits that the applicant is in custody since 28.05.2019, the charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 28.05.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge