

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6272 of 2019

- Akash Yadav S/o Gangaram Yadav Aged About 19 Years R/o Kuwabelsara, Police Station Bilha, Presently Residing At Dehat Chowki Ward No. 14, Police Station Sirgitti, District Bilaspur Chhattisgarh. Permanent R/o M/105 Rajendra Nagar Colony Police Station Kherha, District Shahdol Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Surajpur District Surajpur Chhattisgarh.

---- Respondent

For Applicant	: Shri Anil Gulati, Advocate
For Respondent/State	: Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/12/2019

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.240/2019 registered at police station Surajpur, district Surajpur (CG) for the offence punishable under Sections 363,366 and 376 IPC and Section 4 and 6 of the Protection of Children from Sexual offences Act.

Case of the prosecution in brief is that a report was lodged by the parents of the prosecutrix that the applicant had allured their daughter on the pretext of marriage.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that prosecutrix is aged about 16 years and in her deposition, she has not stated anything against the applicant and has turned hostile. He submits that the applicant is in jail since 02.08.2019 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