

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6382 of 2019**

- Chandu Barle S/o Shri Bhaosingh Barle Aged About 18 Years, R/o Village Majitha, Police Station Kharora, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Police Station Kharora, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anchal Kumar Matre, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28/11/2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 209/2019 registered at Police Station Kharora, District-Raipur (C.G.) for the offence punishable under Sections 363, 366, 376 of the IPC and 6 of POCSO Act.
2. The prosecution story, in brief is that, complainant Bhagatram Verma lodged a missing report on 29.05.2019 that on 27.05.2019 at 10:00 PM. in the night his daughter was missing from his house. Thereafter, prosecutrix was recovered on 03.07.2019 from the possession of the applicant. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the age of the prosecutrix is above 17 years and they have love affair with each other. The applicant is in jail since 07.07.2019, there is no likelihood of his case being decided in

near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the age of the prosecutrix is above 17 years and they have love affair with each other and the present applicant is in jail since 07.07.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**