

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6422 of 2019**

- Jagdev S/o Shri Madhav, aged about 35 years, R/o village Harileta, Gram Panchayat Belkona, P.S. - Shankergarh, District Balrampur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station - Dhourpur, District - Surguja (C.G.)

---- Respondent

For Applicant	:	Shri Sunil Sahu, Adv.
For Respondent	:	Shri Vinod Tekam, P.L.

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

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.44/2019, registered at Police Station - Dhourpur, District Surguja (C.G.) for the offence punishable under Sections 363, 366, 376(2) (n) of IPC and Sections 5 (I) and 6 of Protection of Children from Sexual Offences Act, 2012.
2. The prosecution story, in brief, is that on 14.07.2019, the father of the prosecutrix, lodged a report alleging therein that on 12.07.2019, the applicant abducted his daughter and took her along with him on the false pretext of marriage. Based on this, offence has been registered. The present applicant has been taken into custody on 15.07.2019.
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, in her statement

recorded under Section 164 Cr.P.C, has not stated anything against the applicant. He also submits that the applicant is in custody since 15.07.2019, 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 15.07.2019, charge sheet has been filed 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