

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6819 of 2019**

- Suresh Yadav S/o Parasram Yadav Aged About 19 Years R/o Keshavpur, Khalpara, Police Chowki- Ambikapur, District- Surguja, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through - S.H.O. Ambikapur, District - Surguja, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sunil Tripathi, Advocate.
For Respondent	:	Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/12/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 355/2019 registered at Police Station – Ambikapur, District Surguja (C.G.) for the offence punishable under Sections 363, 366क, 376(2)(क), 368 of IPC and Sections 11 R/w Section 12 and Section 5अ/6 of Protection of Children from Sexual Offences Act, 2012.
- The prosecution story in brief is that on 13.06.2019, parents of the prosecutrix lodged her missing report in the concern police station and after completion of investigation, prosecutrix was recovered from the possession of the applicant, thereafter, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that age of the prosecutrix is above 17 years

and when he brought before the Judicial Magistrate First Class, she clearly stated that due to ill-treatment of her family members she herself left her parent's house and performed marriage with the applicant and living peacefully with him. Applicant is in jail since 15.06.2019, there is no previous antecedent against him, therefore, the present appellant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the age of the prosecutix, 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.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge