

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6433 of 2019**

- Devbrat Singh (wrongly mentioned as Sdevvrat Singh) S/o Purshottam Singh Aged About 22 Years R/o Village Dakshinpara Banji, Police Station Jhagrakhand, Tahsil Manendragarh, District Koriya, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate.
For Respondent	:	Mr. B.L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08/11/2019**

- 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. 110/2019 registered at Police Station - Jhagrakhand, District Koriya (C.G.) for the offence punishable under Sections 366, 376 (2)(a), 506 of IPC and Sections 4, 6 of Protection of Children from Sexual Intercourse Act.
- The prosecution story in brief is that, the prosecutrix made a complaint against the applicant alleging therein that the applicant established physical relationship with the victim on the pretext of marriage due to which, the victim became pregnant and gave birth to a child and thereafter, the applicant refused to marry her. Thereafter, offence has been registered against the applicant and the applicant was arrested 08.08.2019.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits the age of the prosecutrix is 21 years at the time of incident and there was love affairs between the prosecutrix and applicant. He next submits that the applicant is jail since 08.08.2019, there is no previous antecedent against him, therefore, the present applicant 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 prosecutrix 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.
- 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