

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6485 of 2019**

- Ajay Kumar Baghel, S/o Keshavram Baghel, aged about 24 years, R/o village and Post Tekari, Tahsil Abhanpur, District Raipur (C.G.)

---- Applicant**Versus**

- The State of Chhattisgarh Through : Police Station Aarang, Tahsil - Aarang, District Raipur (C.G.)

---- Respondent

For Applicant	:	Shri Manoj Paranjape, Adv.
For Respondent	:	Shri V.K. Agrawal, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****29/11/2019**

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.450/2019, registered at Police Chowki - Manipur, Police Station Ambikapur, District Surguja (C.G.) for the offence punishable under Sections 363, 366, 376 IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012.
2. The prosecution story, in brief, is that on 17.07.2019, complainant Rohit Kumar Tondon lodged a missing report in police station Aarang, *inter alia* pleading that his 17 years and 11 months old daughter is missing. During investigation, the prosecutrix, the daughter of complainant, recovered from the applicant on 07.09.2019, her statement was recorded in which she has stated that the applicant took her along with him on the pretext of marriage and committed forcible sexual intercourse. Based on this, offence has been registered. The

present applicant has been taken into custody on 08.09.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that on 17.07.2019 a missing report was lodged, on 04.09.2019 the prosecutrix got married with the applicant when she attained the age of 18 years and on 08.09.2019 the applicant was arrested. He also submits that before the trial Court, the prosecutrix herself had filed bail application of the applicant. It is next submitted that the applicant is in custody since 08.09.2019 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 08.09.2019 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

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 2669 of 2019**

- Ajay Kumar Baghel, S/o Keshavram Baghel, aged about 24 years, R/o village and post Tekari, Tahsil – Abhanpur, District Raipur (C.G.)

---- Petitioner**Versus**

- State Of Chhattisgarh, Through : Police Station Aarang, Tahsil – Aarang, District – Raipur, Chhattisgarh (C.G.)

---- Respondent

For Petitioner	:	Shri Manoj Paranjape, Advocate
For Respondent	:	Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****09/12/2019**

1. The petitioner has filed this CRMP seeking modification in the order dated 29.11.2019 passed in M.Cr.C.No.6485/2019 with regard to name of police station.

2. Learned counsel for the petitioners submits that in M.Cr.C.No.6485/2019, the name of the police station has wrongly been mentioned by him as 'Police Chowki – Manipur, Police Station Ambikapur, District Surguja, (C.G.)', whereas, as per the record, the correct name of the police station is **“Police Station – Aarang, Tahsil Aarang, District Raipur.”**

3. I have gone through the impugned order and perused the bail rejection order of the trial Court available in M.Cr.C.No.6485/2019.

4. From perusal of record (bail rejection order of the Court below), it appears that the correct name of the Police Station is 'Aarang'. Thus, the error with regard to the name of police station is apparent on the face of the record which needs to be rectified.

5. Accordingly, it is ordered that in para 1 of the order in question the name of the police station be read as **“Police Station - Aarang, Tahsil - Aarang, District Raipur (C.G.)”** instead of 'Police Chowki - Manipur, Police Station Ambikapur, District Surguja (C.G.)'.

6. The copy of this order be supplied to the learned counsel for the petitioner along with the copy of order dated 29.11.2019 passed in MCRC No.6485/2019.

7. With the modification as aforesaid, CRMP stands disposed of.

8. Certified copy as per rules

Sd/-

(Rajani Dubey)
Judge