

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6615 of 2019

- Rakesh Sonkar S/o Mohan Sonkar Aged About 23 Years R/o Village - Nari, Post Office, Police Station And Tahsil - Kurud District - Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Applicant

• Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Kurud, District - Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

----- Respondent

 For Applicant : Shri Shivendu Pandya, Advocate
 For Respondent/State : Shri Akhtar Hussain, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

03.12.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.418/2019, registered at Police Station Kurud, District Dhamtari(CG) for the offence punishable under Section 363, 366, 376/34 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,1989.
3. As per the case of prosecution, the complainant lodged a report that on the pretext of marriage, the applicant has taken away his sister and committed sexual intercourse with her.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix was a consenting party and there was love affair between them. He

further submits that the prosecutrix is aged above 16 years and applicant is in jail since 05.9.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and that the prosecutrix is above 16 years of age, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE