

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6644 of 2019**

- Manish Navrange S/o Derha Ram Navrange, aged about 20 years, R/o Goda, Police Station Palari, District Baloda Bazar (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station – Bhakhara, District Dhamtari (C.G.)

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****19/11/2019**

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.125/2019, registered at Police Station – Bhakhara, District Dhamtari (C.G.) for the offence punishable under Sections 363, 366, 376 IPC and Section 6 of Protection of Children from Sexual Offences Act.
2. The prosecution story in brief is that on 24.06.2019, father of the prosecutrix, lodged report alleging therein that when they came back to their house after performing labour work, they did not find their daughter in the house. Based on this report, FIR was registered against unknown person under Section 363 IPC. During investigation, it was revealed that the applicant took the prosecutrix with him to Raipur on the pretext of marriage and committed forcible sexual intercourse with her. Based on this, offence has been

registered. The present applicant has been taken into custody on 27.07.2019.

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 27.07.2019, 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, counsel for the State opposes the bail application.
5. Pursuant to order dated 04.10.2019 of this Court, the complainant is also present before this Court in person and submits that applicant may be granted bail.
6. I have heard learned counsel for the parties and perused the record.
7. Considering the totality of the facts and circumstances of the case, in particular the statement of the prosecutrix recorded under Section 164 Cr.P.C. and further considering the fact that the applicant is in custody since 27.07.2019 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.
8. Accordingly, the bail application is allowed.
9. 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