

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6632 of 2019**

- Parmanand Dhruv son of Jivrakhan Dhruv, aged about 19 years, Salauni, Bhatagaon, Baloda Bazar, District Baloda Bazar (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station City Kotwali, Balodabazar, District Balodabazar (C.G.)

---- Respondent

For Applicant	:	Shri C.R. Sahu, Adv.
For Respondent	:	Shri V.K. Agrawal, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****03/12/2019**

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.334/2019, registered at Police Station - City Kotwali, Balodabazar, District Baloda Bazar (C.G.) for the offence punishable under Section 363, 366 and 376 IPC.
2. The prosecution story, in brief, is that complainant Bhola Ram Yadav lodged a written report alleging therein that on 05.06.2019 at 11.10 pm, his daughter went from the house without information and did not come back. During investigation, it was revealed that the applicant abducted her daughter on the pretext of marriage and the prosecutrix recovered from his possession. Her statement was recorded which shows that she was subjected to sexual intercourse on the pretext of marriage. Based on this, offence has been registered. The present applicant has been taken into

custody on 14.07.2019.

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 is major, she accompanied the applicant of her own and she is consenting party to the act of the applicant. He also submits that in 164 Cr.P.C. statement, the prosecutrix has not levelled any allegation against the applicant. He also submits that the applicant is in custody since 14.07.2019 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 14.07.2019, charge sheet has been filed 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