

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6891 of 2019**

- Madho @ Vikky @ Aryan Sonwani S/o Chanchal Sonwani Aged About 20 Years R/o B.S.U.P. Colony, Suraj Nagar, Labhandi, P.S. Telibandha, Tahsil And District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Vidhan Sabha, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C.R. Sahu, Advocate.
For Respondent	:	Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/12/2019**

- 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. 373/2019 registered at Police Station Vidhan Sabha, District Raipur (C.G.) for the offence punishable under Sections 363, 366, 376, 342, 34 of IPC and Sections 6 & 17 of Protection of Children from Sexual Offences Act, 2012.
- The prosecution story in brief is that the applicant repeatedly committed sexual intercourse with the prosecutrix against her will. On the basis of that, offence has been registered against the applicant and he has been arrested.
- Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that applicant is above 16 years old and she made no objection during the course of incident. The

applicant is in custody since 17.09.2019 and trial will take some time, therefore, he may be released on bail.

- Per contra, learned counsel appearing on behalf of the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Considering the facts and circumstances of the case, the detention period of the applicant and further considering the age of prosecutrix i.e. above 16 years, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge