

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6928 of 2019

- Dhanraj Kaushik S/o Ramesh Kaushik Aged About 19 Years R/o Lakholi, Rajeev Nagar, Ward No. 32, District Rajnandgaon Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Kotwali, District Rajnandgaon Chhattisgarh

---- Respondent

For Applicant	: Shri Samir Singh, Advocate
For Respondent/State	: Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

12/12/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.511/2019 registered at police station Kotwali, District Rajnandgaon (CG) for the offence punishable under Sections 363,376 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

As per prosecution case, report was lodged by the prosecutrix alleging that her daughter was missing and that the applicant had committed rape on her.

Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated. He submits that the prosecutrix is

more than 17 years of age; applicant is in jail since 10.09.19; the charge sheet has been filed; the offence is triable by magistrate and the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge