

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6988 of 2019

- Yogesh @ Nanhoo S/o Dashrath Jagnayak Aged About 24 Years
R/o Armurksa, Police Station Rajhara, District Balod
Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Rajhara, District
Balod, Chhattisgarh.

---- Respondent

For Applicant	: Shri L.K.Ramteke, Advocate
For Respondent	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

16/12/2019

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.194/2019 registered at police station Rajhara, district Balod (CG) for the offence punishable under Sections 363,366 and 376 IPC and Sections 4,5(I) and 6 of the Protection of Children from Sexual Offences Act, 2012.

Case of the prosecution in brief is that report was lodged by mother of the prosecutrix alleging that her daughter is missing. On the basis of the said report, on investigation, the police recovered her from the house of the applicant.

Counsel for the applicant submits that the applicant has been

falsely implicated and the prosecutrix is more than 17 years of age. He further submits that the prosecutrix left her house of her own and that she was having love affair with the applicant. He submits that the applicant is in jail since 25.07.2019; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular 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 in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge