

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9284 of 2018**

Atul Puraina S/o Late Palchand Puraina, aged about 18 years R/o Satnamipara,
Mokhla, Police Station Arang, District Raipur (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Arang
District Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. B.L. Sahu, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

03/01/2019

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 394/2018 registered at Police Station Arang, District Raipur (C.G.) for the offence punishable under Sections 363, 366 and 376 of the IPC and Section 4 & 6 of the POCSO Act.
2. In this case, the Prosecutrix is a girl aged about 16 years. It is alleged that there was love relation between the Prosecutrix and the Applicant. On 03/09/2018, a report was made by the father of the Prosecutrix, wherein it has been stated that on the pretext of marriage, the Applicant abducted his minor daughter. On the basis of the said report, offence has been registered. On 05/09/2018, the Prosecutrix was recovered from the house of the Applicant and her statement was recorded. The Applicant has been taken into custody on 05/09/2018.
3. Learned counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the present case. There was love relation between the Applicant and the Prosecutrix. The prosecutrix left her house on her own will. In her statement recorded under Section 164 Cr.P.C, the Prosecutrix does not support the case of the prosecution. He further submits that the Applicant is in custody since 05/09/2018, charge-sheet has been filed and trial will take time, therefore, the Applicant may be released on bail.

4. Counsel appearing on behalf of the State also opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Applicant is in custody since 05/09/2018, charge-sheet has been filed and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the Applicant 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. 20,000/- 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/-
(Arvind Singh Chandel)
Judge