

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6434 of 2019**

- Sanjay Dhritlahare S/o Puran Dhritlahare Aged About 20 Years R/o Kurmikhamhi, P.S. Jarhagaon District Mungeli Chhattisgarh.....(In Jail).

----Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Jarhagaon, District Mungeli Chhattisgarh.....(Non Applicant),

---- Respondent

with**MCRC No. 7387 of 2019**

- Dharmendra Banjare @ Dadu Banjare S/o Bhairam Banjare Aged About 26 Years R/o Khamhi Kursi, Police Station Jarhagaon, District Mungeli, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Jarhagaon, District Mungeli, Chhattisgarh.

---- Respondent

For Applicants	: Mr. B.P. Banjare and Mr. Vipin Singh, Adv.
For Respondent/State	: Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20/12/2019**

1. Pursuance to order dated 28.11.2019 of this Court, informant of the case namely, Dinesh Kumar Patre is present today. On being asked, he has made his objection regarding grant of bail to the applicant.
2. His presence be marked.
3. The accused/applicants have moved this first bail application

under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 20/2019 registered at Police Station Jarhagaon, District Mungeli (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012.

4. The prosecution story, in brief is that father of the prosecutrix lodged a missing report at Police Station Jarhagaon alleging therein that his minor daughter is missing since 31.01.2019 and she did not return from school. After completion of investigation the police has recovered the girl from the possession of applicant Sanjay Dhritlahre. After recording the statement of the prosecutrix, offence has been registered against the applicants and they have been arrested.
5. In respect of applicant Sanjay Dhritlahre, learned counsel for the applicant wants to withdraw the bail application with liberty to file the same at an appropriate stage.
6. Accordingly, bail application in respect of applicant Sanjay Dhritlahre is dismissed as withdrawn with the aforesaid liberty.
7. In respect of applicant Dharmendra Banjare, learned counsel submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant has no directed or indirect involvement in the crime. The main allegations are against the main accused namely Sanjay Dhritlahre. He next submits that the applicant is in jail since 23.09.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
8. On the other hand, counsel for the State opposes the bail application.
9. I have heard learned counsel for the parties and perused the case diary.
10. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the fact that the main allegation is against the main accused namely Sanjay Dhritlahre, as the trial is likely to take some time for its final

disposal, this Court is of the view that it is a fit case to release the applicant Dharmendra Banjare @ Dadu Banjare on bail. Accordingly, the application in respect of applicant Dharmendra Banjare @ Dadu Banjare (in MCRC No. 7387/2019) is allowed.

11. Accused/applicant Dharmendra Banjare @ Dadu Banjare (in MCRC No. 7387/2019) is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. Applicant Dharmendra Banjare @ Dadu Banjare is directed to appear before the trial Court on each and every date to be given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge