

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 15 of 2020**

- Prem Lal Patel S/o Ratiram Patel Aged About 40 Years R/o Village Kesla, Police Station Shivrinarayan, District Janjgir Champa Chhattisgarh. Present Address Dayalband, Nariyal Kothi, Bilaspur, Police Station Torwa, District Bilaspur Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Shivrinarayan, District Janjgir Champa Chhattisgarh.

**---- Respondent**

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| For Applicant        | : Shri Ravindra Sharma, Advocate |
| For Respondent/State | : Shri V.K.Agrawal, PL           |

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**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**13/02/2020**

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.476/2019 registered at police station Shivrinarayan district Janjgir-Champa(CG) for the offence punishable under Sections 363,366,376 and 368 IPC and Section 6 of the Protection of Children from Sexual Offences Act.

As per prosecution case, a report was lodged by the brother of the prosecutrix who is a minor, alleging that on the date of incident, his sister had gone to attend the class and did not return home. It is alleged that he saw his sister was going along with the co-accused in

his motorcycle.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the applicant has only provided shelter in his home and the main allegation is against the co-accused who was having love affair with the prosecutrix. He submits that the applicant is in jail since 23.12.2019 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