

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 32 of 2020

- Kinker Rai S/o Bhagirath Rai Aged About 22 Years R/o Village - Baroni Police Station - Harindhata District - Naadiya (W.B.) Current R/o - Manda Baampur Allahabad (U. P.)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Churiya, District - Rajnandgaon Chhattisgarh

---- Respondent

For Applicant	: Shri Basant Dewangan, Advocate
For Respondent/State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

11/02/2020

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.62/2019 registered at police station Churiya, District Rajnandgaon (CG) for the offence punishable under Sections 363, 366 and 376 IPC and Sections 4 and 6 of the Protection of Children from Sexual Offences Act.

As per prosecution case, a report was lodged by father of the prosecutrix alleging that his daughter is missing. It is alleged that after a few days, the prosecutrix got married with the applicant and returned home.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the applicant is aged more than 16 years. He submits that the applicant is in jail since 07.09.2019 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