

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 309 of 2020

- Premchand @ Pankaj Sao S/o Shivshankar Sao Aged About 22 Years R/o Thanganpara, Ambikapur, P. S. Ambikapur, District Surguja Chhattisgarh,

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Rajpur, District Balrampur Ramanujganj, Chhattisgarh

---- Respondent

For Applicant	: Shri A. N.Pandey, Advocate
For Respondent/State	: Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

25/02/2020

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. 187/2019 registered at police station Rajpur, District Balrampur-Ramanujganj (CG) for the offence punishable under Section 363 IPC and Section 79 of the Care and Protection of Children Act 2015.

As per prosecution case, report was lodged by the complainant alleging that his son aged about 11 years, was missing and on search being made, he was recovered from the house of his grandfather.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the son of the

complainant ran away from his parental house and was employed/working in the shop of the applicant where he was paid salary of Rs. 3,000/- per month. He submits that the applicant is in jail since 11.12.2019; charge sheet has been filed; the case is triable by the Magistrate 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