

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 389 of 2020

- Resham Lal Jolhe S/o Sewak Ram Jolhe Aged About 21 Years
R/o Nehru Nagar Balco Nagar, P.S. Kotwali Korba, Tahsil And
District Korba Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through - Out Post Rampur, P. S. Kotwali
Korba District Korba Chhattisgarh

---- Respondent

For Applicant : Shri K.L.Sahu, Advocate
For Respondent/State : Shri Akhtar Hussain, PL
Mother of the prosecutrix is present in the Court.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

12/03/2020

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.40/2019 registered at police station Outpost Rampur, PS Kotwali, Korba District Korba (CG) for the offence punishable under Sections 363,366,376 IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.

As per prosecution case, report was lodged by the mother of the prosecutrix that her daughter is missing and on investigation, she was recovered from the custody of the applicant.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the applicant and the prosecutrix were having love affair and had got married. He submits that the applicant is in jail since 29.11.2019 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. However, mother of the prosecutrix submits that she has no objection if the applicant is released on bail.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant and also that the mother of the prosecutrix has no objection, 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