

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 276 of 2020**

- Purushottam @ Deepak Dhuri S/o Durga Dhuri Aged About 27 Years, Resident Of Village Mode, Police Station Takhatpur, District Bilaspur Chhattisgarh, Presently Address Imalibhatha, Jogi Awas H-14, Police Station Sarkanda, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Sarkanda, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Dashrath Kushwaha Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/02/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 1141/2019 registered at Police Station-Sarkanda, District - Bilaspur (C.G.) for the offence punishable under Sections 376, 417 of the IPC and 4, 6 of the POCSO Act.
2. The prosecution story, in brief is that, prosecutrix lodged a written complaint that on pretext of marriage the present applicant committed sexual intercourse with the prosecutrix and denied marrying with the prosecutrix. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that prosecutrix is above 16 years and the applicant is in jail since 14.12.2019, there is no

likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that prosecutrix is above 16 years and the applicant is in jail since 14.12.2019 and 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 on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**