

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 432 of 2020**

- Narendra Patle S/o Toran Das Patle, aged about 27 years, Caste Satnami, R/o village Budhwara, Police Station City Kotwali, Mungeli, District Mungeli (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Police Station House Officer, Police Station City Kotwali, Mungeli, District Mungeli (C.G.)

---- Respondent

For Applicant	:	Shri Dharmesh Shrivastava, Advocate
For Respondent	:	Ms. Akshara Amit, P.L.
For Objector	:	Shri Govind Dewangan, Advocate.

Hon'ble Smt Justice Rajani Dubey**Order on Board****03/03/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.236/2019 registered at Police Station – City Kotwali, Mungeli, District Mungeli (C.G.) for the offence punishable under Sections 363, 376 IPC and Sections 4 & 6 of POCSO Act.
2. The prosecution story, in brief, is that complainant, father of prosecutrix, lodged a missing report alleging therein that on 23.02.2019 at about 7.00 am, her daughter had gone out saying that she is going to school but did not come back. He searched his daughter at own level but of no avail. During investigation, the prosecutrix recovered from the possession of applicant and her statement was recorded. Based on this, offence has been registered. The present applicant has been

taken into custody on 18.10.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix and the applicant lived together for about seven months and they entered into compromise that when the prosecutrix attains majority, they would perform marriage. He also submits that the applicant is in custody since 18.10.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. Shri Basant Dewangan, learned counsel for objector, however, supports the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 18.10.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge