

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 712 of 2020**

- Bagholan S/o Jeetan, Aged About 30 Years R/o Pandri, Police Station Raghunathnagar, District Balrampur Ramanujganj Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Ramchandrapur, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	:	Shri D.N. Prajapati, Advocate
For Respondent	:	Shri V.K. Agrawal, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****16/03/2020**

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.32/2019 registered at Police Station – Ramchandrapur, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 363, 366, 368, 376 (2-n)/34 IPC and Sections 4, 6 and 19/21 of POCSO Act.
2. The allegation against the present applicant is that he extended his help to co-accused Matulal and provided him a house despite knowing the fact that on 27.07.2019, co-accused Matulal abducted the prosecutrix, who is minor, and committed forcible sexual intercourse with her. Based on this, offence has been registered. The present applicant has been taken into custody on 07.08.2019.
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 main allegation is against co-

accused Matulal and the present applicant had no knowledge that Matulal has abducted the prosecutrix from her lawful guardianship. He also submits that co-accused Matulal had informed the present applicant that he has performed marriage with the prosecutrix and she is major. It is next submitted that the applicant is in custody since 07.08.2019, 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. Learned State counsel submits that the present applicant extended his help to co-accused Matulal knowing that he has adducted the prosecutrix who is minor.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 07.08.2019, charge sheet has been filed 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.
7. Accordingly, the bail application is allowed.
8. 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, till final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge