

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 570 of 2020**

- Ravindra Das Mahant S/o Late Pawan Das Mahant Aged About 22 Years R/o Manas Nagar, Police Station Korba, District Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Outpost C S E B Korba, Police Station City Kotwali Korba, District Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate.
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/03/2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.833/2019 registered at Police Station – Outpost CSEB, Korba, P.S. City Kotwali, Korba, District Korba(C.G.) for the offence punishable under Sections 376 IPC and Sections 4, 6 of the Protection of Children from Sexual Offences Act, 2012.
2. It is the case of the prosecution that father of the victim lodged a report on 23.12.2019 that the applicant has allured his minor daughter and committed sexual intercourse with her 5 to 6 months prior, due to which she became pregnant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime and the prosecutrix

and the applicant were in love affairs which is clear from her statement under Section 164 Cr.P.C. He also submits that the prosecutrix was aged above 18 years and she was a consenting party. He submits that as the applicant is in custody since 23.12.2019 and the trial is likely to take some time for its final disposal, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and prosecutrix is above 17 years of age as also the detention period of the applicant, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge