

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 707 of 2020**

- Deepak Anant S/o Mohan Anant, Aged About 22 Years R/o Village Kaithi, Police Station Bhatapara (Gramin), District Baloda Bazar Bhatapara Chhattisgarh,

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Suhela, District Baloda Bazar Bhatapara Chhattisgarh

---- Respondent

For Applicant	:	Shri Satya Prakash Verma, Advocate
For Respondent	:	Shri Anurag Verma, 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.259/2019 registered at Police Station - Suhela, Civil and Revenue District Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Sections 363, 366, 376 IPC and Sections 6 of POCSO Act.
2. The prosecution story, in brief, is that father of the prosecutrix lodged a missing report at police station Supela alleging therein that his daughter aged 16 years, 4 months and 18 days had gone out and did not come back. They searched their daughter at own lever but of no avail. During investigation, on 27.12.2019, the prosecutrix recovered from the possession of the applicant. Her statement was recorded based on which the offence has been registered. The present applicant has been taken into custody on 28.12.2019.
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 age of the prosecutrix is 16 years, 4 months and 18 days & she accompanied the applicant of her own and she is consenting party to the act of the applicant. He also submits that the applicant is in custody since 28.12.2019, 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. 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 28.12.2019, 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