

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 950 of 2020

- Manoj Kumar Chouhan S/o Chamar Singh Chouhan Aged About 23 Years Resident Of Village Jhilgidar, Post Malda, At Post Kankabira, Police Station Sarangarh, District Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Raigarh, District Raigarh Chhattisgarh

---- Respondent

For Applicant : Shri Lalit Jangde, Advocate
For Respondent/State : Shri Anil Tripathi, PL
Father of the prosecutrix is present in the Court and he has no objection

Hon'ble Smt. Justice Rajani Dubey

Order On Board

28/02/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.424/2019 registered at police station Sarangarh, District Raigarh (CG) for the offence punishable under Sections 363,366,376 IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

As per prosecution case, the applicant has promised the prosecutrix to marry and abducted her from the lawful guardianship. It is alleged that he has developed physical relationship with her.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the prosecutrix has not supported the prosecution case before the trial court. He submits that the applicant is in jail since 30.11.2019 and looking to the conduct of the prosecution, it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge