

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 886 of 2020**

- Leela Ram S/o Puranik Ram Satnami (Sonvani) Aged About 23 Years Occupation Labour, R/o Village Jaitkhambh, Police Station Gurur, District Balod Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Arjuni, District - Dhamtari Chhattisgarh.

---- Respondent

For Applicant. : Mr. Dashrath Kushwaha, Advocate.
 For Respondent/State : Mr. Vinod Kumar Tekam, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.03.2020**

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. 296/2019 registered at Police Station - Arjuni, District Dhamtari (C.G.) for the offence punishable under Sections 363, 366 & 376(2) of the IPC and Section 6 of the POCSO Act.
2. As per the prosecution case, the allegation against the present applicant is that he committed sexual intercourse with the prosecutrix against her will. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.
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 about 17 year, there was love affair between them and now they have

performed marriage with each other with their consent at Arya Samaj Mandir, Baijnathpara, Raipur, the applicant is jail since 08.12.2019, and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, age of the prosecutrix, as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu