

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 867 of 2020**

- Ritik Kumar Ratre S/o Shri Chandra Kumar Ratre Aged About 20 Years R/o Village Tipawan, Police Station Palari, District Balodabazaar-Bhatapara, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Police Station Palari, District Balodabazaar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anchal Kumar Matre, Adv.
For Respondent/State	:	Mr. Wasim Miyan, 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 Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 108/2019 registered at Police Station Palari, District-Balodabazaar-Bhatapara (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and 4 of POCSO Act.
2. The prosecution story, in brief is that, the complainant lodged a missing report that her daughter was gone away from the home. During investigation on 18.01.2020 the prosecutrix was recovered from the possession of the applicant, statement of the prosecutrix was recorded in which, she has stated that applicant committed forcefully sexual intercourse with her. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the prosecutrix is aged

about more than 17 years and applicant is in jail since 18.01.2020, there is no likelihood of his case being decided in near future, 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 applicant and further considering the facts that the applicant is in jail since 18.01.2020, and 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 local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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