

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1175 of 2020

- Sundi Akhil S/o Sundi Reddy Aged About 22 Years R/o Camp 1 Pragati Nagar, Bhilai, District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through S H O, Police Station Bhilai Bhatti, District : Durg, Chhattisgarh

---- Respondent

For Applicant	: Shri aman Pandey, Advocate
For Respondent/State	: Smt. Reena Singh, PL.
For Respondent/Objector	: Shri Ankur Kashyap, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/03/2020

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.164/2019 registered at police station Bhilai Bhatti, district Durg (CG) for the offence punishable under Sections 363,366 and 376 IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act.

As per prosecution case, report was lodged by the father of the prosecutrix alleging that his daughter was missing. It is alleged that the applicant took her from the lawful guardianship of her parents to Odisha and committed sexual intercourse with her on several occasions on the pretext of marriage.

Contention of counsel for the applicant is that he has been falsely implicated in the case. He submits that the applicant is in jail since 23.10.2019 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. Mother of the prosecutrix as well as the prosecutrix herself has no objection if the applicant is granted bail.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation against 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