

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1333 of 2020**

- Sunil Kumar Soni, S/o Late Tula Ram Soni, Aged about 21 years, R/o Ward No. 29, Kayaghat, PS Jute Mill Chowk, Raigarh, Tahsil and District Raigarh (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – Station House Officer, City Kotwali, Outpost-Jute Mill Chowk, Raigarh, Tahsil and District Raigarh (C.G.)

---- Respondent

For Applicant : Mr. Krishna Tandon, Advocate.
 For Respondent/State : Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.08.2020**

- The accused/applicant has moved his second bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 461/2019 registered at Police Station– City Kotwali, Raigarh (C.G.) for the offence punishable under Sections 363, 366, 376 and 509 of the Indian Penal Code, 1860, under Section 6 of the POCSO Act and under Section 67(2) of the IT Act.
- The first bail application of the applicant was dismissed as withdrawn with liberty to revive the same by the Hon'ble Court on 21.08.2019 passed in MCRC No. 4815 of 2019.
- According to the prosecution story, the applicant and the prosecutrix were in relationship with each other in the meanwhile, the mother of the prosecutrix came to know that the prosecutrix and the applicant were maintaining physical relationship with each other, after which she saw a video of the prosecutrix, therefore, she inscribed a first information report against the present applicant for the aforesaid offences.
- Learned counsel for the applicant submits that the applicant has falsely been implicated in the aforesaid case. He further submits

that the police authority without going into the root of the case, arrested the present applicant. The applicant is in jail since 20.06.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/-, with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge

Vasant