

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3745 of 2020**

- Yashwant Kumar Sahu, S/o Ghanshyam Prasad Sahu, Aged about 19 years, R/o Village- Siltara, PS Takhatpur, District Bilaspur (C.G.), Present Address- Sharma Vihar Khamtarai, PS Sarkanda, District Bilaspur (C.G.) **---- Applicant**

Versus

- State of Chhattisgarh, Through – District Magistrate, District Bilaspur (C.G.) **---- Respondent**

For Applicant : Mr. Gurudev I. Sharan Advocate.
 For Respondent/State : Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.07.2020**

- Heard.
- Admit.
- The accused/applicant has moved his 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. 139/2020 registered at Police Station– Sirgitty, District Bilaspur (C.G.) for the offence punishable under Sections 363 and 366 of Indian Penal Code.
- According to the prosecution story, the complainant Rambishambhar Loniya lodged a report on 02.04.2020 that his elder daughter/victim born on 05.05.2002 and she left the home without intimation to anybody in the intervening night of 31.03.2020 to 01.04.2020. On 01.04.2020, after knowing the above said facts of missing, the complainant searched about her but no information has been received. During the investigation on the report, the police has recovered the victim from the house of the present applicant on 09.05.2020.
- Learned counsel for the applicant submits that the applicant is innocent person who has been falsely implicated in the aforesaid case. He further submits that the age of the victim is about 18

years and she herself left the house of the parents and living along with the applicant as wife after performing "Sindur Ritual" of marriage. He next contended that the applicant is in jail since 09.05.2020, therefore, he may be granted 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