

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4032 of 2020**

- Ramanand Sahu S/o Janturam Sahu, aged about 19 years, R/o village Paragaon Kala Paragaon Khurd (wrongly mentioned as Maragaon Kala Khute), Police Station Dongargarh, District Rajnandgaon (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Azad Chowk, Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	:	Shri Dharmesh Shrivastava, Advocate
For Respondent	:	Ms. Sunita Jain, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****31/08/2020**

1. Heard.
2. Admit.
3. The applicant has preferred this second bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.285/2019 registered at Police Station - Azad Chowk, Raipur, District Raipur (C.G.) for the offence punishable under Sections 363, 376 IPC and Sections 4 & 6 of POCSO Act.
4. Earlier bail application of the applicant was dismissed as withdrawn.
5. The prosecution story, in brief, is that complainant, father of prosecutrix, lodged a report alleging therein that on 23.09.2019 at night when he was sleeping in his house, at about 00.45 am, his neighbour namely Roman Sahu came to his house and informed that his daughter was taken on

motorcycle by one boy towards Thakrey Chowk. During investigation, the prosecutrix recovered from the possession of applicant and her statement was recorded. Based on this, offence has been registered. The present applicant has been taken into custody on 26.09.2019.

6. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the father of applicant entered into compromise and filed affidavit stating therein that he has no objection if the applicant is released on bail. He also submits that the applicant is in custody since 26.09.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
7. On the other hand, learned counsel for the State opposed the bail application.
8. I have heard learned counsel for the parties and perused the record.
9. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 26.09.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
10. Accordingly, the bail application is allowed.
11. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge