

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4412 of 2020**

- Mohit Gupta S/o Vinod Gupta Aged About 21 Years R/o Nawada Shekhan, Jagatpur, Police Station Baradari, District Bareilly U. P.

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Pratappur, District Surajpur Chhattisgarh

---- Respondent

For Applicant	Mr. Rahul Mishra, Advocate
For Respondent /State	Ms. Fouzia Mirza, Additional Advocate General

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****15/9/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.108/2019

registered at Police Station Pratappur, District Surajpur (CG) for the offence punishable under Sections 363, 366(A), 376, 376(2) (D) of the IPC and Sections 4, 6 of the Protection of Children from Sexual Offences Act, 2012.

3. The applicant allegedly abducted the prosecutrix and took her from Wadrafnagar to Renukot and then, to Bareli. The prosecutrix stayed with the applicant at Bareli for about 5 months, where-from, she was recovered on 22.1.2020.
4. Learned counsel for the State would oppose the prayer for grant of bail.
5. Although there is allegation of commission of rape on promise to marry with a girl, aged about 17 years, but the fact remains that the prosecutrix has already been examined before the trial Court and in the said deposition, she is not making any allegation of commission of rape. According to the prosecutrix, despite informing her parents that she is staying with the applicant for about 4-5 months and repeatedly making requests to take her back, they did not take any interest.
6. Considering the entire facts situation of the case and for the fact that the applicant is in jail since 22.1.2020 and the trial may take some more time due to COVID-19 pandemic situation, this Court is inclined to release the applicant on regular bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond

for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

8. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

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