

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4759 of 2020**

- Lakhan Baghel S/o Shri Jagtaran Baghel aged about 19 years, R/o Village Sarora, P.S.-Nevra, District-Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Police Station Nevra, District-Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C. R. Sahu, Adv.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01/09/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 182/2020 registered at Police Station Nevra, District-Raipur (C.G.) for the offence punishable under Sections 363 and 366 of the IPC.
2. The prosecution story, in brief is that, father of the prosecutrix lodged a report that on 20.06.2020 the prosecutrix along with her friend went to celebrate birthday at unknown place and was not returned home. During the course of investigation prosecutrix was found and recorded 164 statement of the prosecutrix and arrested the present applicant. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that due to previous enmity the applicant has been implicated in the present case. He also submits that the applicant is in jail since 22.06.2020, there is no likelihood of his case being decided in near future, therefore, the

present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the applicant is in jail since 22.06.2020, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**