

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7218 of 2019

- Manojit Sardar S/o Shri Sarojit Sardar Aged About 19 Years R/o Dongripara Shyam Prasad Ward, P.S. And District Kondagaon, Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Civil Line, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

 For Applicant : Shri Pragalbh Sharma, Advocate
 For Respondent/State : Shri Wasim Miyam, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

02.01.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.369/2019, registered at Police Station Civil Line, District Raipur(CG) for the offence punishable under Sections 363, 366, 376 of the IPC and Sections 3,4, 6 of the Protection of Children from Sexual Offences Act, 2012.
3. As per the case of prosecution, father of the prosecutrix lodged a report that the applicant has abducted his minor daughter and taken her to Kondagaon and committed sexual intercourse with her.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix is aged about 17 years and she was consenting party and herself had gone

with the applicant. He submits that the applicant is in jail since 13.6.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the detention period of the applicant and further considering that the prosecutrix is aged about 17 years, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE