

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6906 of 2019**

- Somnath Netam S/o Charan Singh Netam Aged About 20 Years R/o Karlajhar, Police Station Paylikhand (Jugad), District Gariyaband, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Paylikhand (Jugad), District Gariyaband, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Suneeta Sahu, Advocate.
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06.01.2020**

- The accused/applicant has moved this 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. 02/2019 registered at Police Station - Paylikhand (Jugad) District Gariyaband (C.G.) for the offence punishable under Sections 363, 366 & 376(2)(b) of IPC, Section 6 of Protection of Children from Sexual Offences Act, 2012.
- The prosecution story in brief is that, the father of the prosecutrix lodged the missing report on 15.01.2019 before concern police station stating that his daughter is missing from home. On the basis of that, after investigation, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. She further submits that in the statement of prosecutrix has been recorded under Section 164 of Cr.P.C. but she has nowhere

mentioned anything against the applicant. Since, the applicant is jail since 30.01.2019, the present appellant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the detention period of applicant, as 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.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge