

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7110 of 2019**

- Ajay Rajput @ Ajay S/o Shri Kunjram Rajput, aged about 19 years, R/o village Dalpurwa, Thana & Tahsil Pathariya, Civil and Revenue District Mungeli (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Pathariya, District Mungeli (C.G.)

---- Respondent

For Applicant	:	Shri Sumit Shrivastava, Adv.
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****02/01/2020**

1. The applicant has preferred this first 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.559/2019, registered at Police Station – Pathariya, District Mungeli (C.G.) for the offence punishable under Sections 363, 366 and 376 IPC.
2. The prosecution story, in brief, is that complainant, father of the prosecutrix, made a report at police station, Pathariya, alleging therein that his daughter aged about 17 years was missing from his house since 29.11.2018. He searched her daughter at own level but of no avail. During investigation, the prosecutrix recovered from the applicant, her statement was recorded, based on which, offence has been registered. The present applicant has been taken into custody on 10.10.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that the prosecutrix is aged about 17 years and she accompanied the applicant of her own. He also submits that the applicant is in custody since 10.10.2019, 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.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. 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 10.10.2019, 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 him on bail.
7. Accordingly, the bail application is allowed.
8. 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