

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7120 of 2019**

- Deepak Sahu, S/o Teejram Sahu, Aged About 19 Years, R/o Village Jarodha, Police Station -Takhatpur, District- Bilaspur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through Police Station Takhatpur, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Rohitashva Singh, Adv.
For Respondent/State	: Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.01.2020**

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. 59/2019 registered at Police Station Takhatpur, District- Bilaspur, (C.G.) for the offence punishable under Sections 363, 366, 376 of I.P.C. and Sections 4 & 6 of the POCSO Act.
2. The prosecution story, in brief is that, the applicant took prosecutrix to Shahdol where he kept her as wife and committed sexual intercourse with her several times. On investigation, prosecutrix was found from the possession of the applicant. Thereafter, 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 the applicant is in jail since 03.04.2019, 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.

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, and further considering the facts that the applicant is in jail since 03.04.2019 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**