

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7117 of 2019**

- Jodhan S/o Ukeelram (wrongly mentioned as Ukeetram) Sahu, aged about 18 years, R/o village Palansari, Police Station Pandatarai, District Kabirdham (C.G.)

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Shri Dharmesh Shrivastava, Adv.
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

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.160/2019, registered at Police Station – Pandatarai, District Kabirdham (C.G.) for the offence punishable under Sections 354-D, 294, 506, 509, 34 IPC, 7 and 8 of Protection of Children from Sexual Offences Act, 2012.
2. The allegation against the present applicant is that when the prosecutrix was going to school, the present applicant along with juvenile accused used to follow her and say that he (present applicant) loves her very much. The present applicant forcing the prosecutrix to love him and perform marriage. On being refused, the applicant used to hurl abuses and threatened her that he would tarnish her image. On the basis of this, offence has been registered. The present applicant has been taken into custody on 11.10.2019.

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 alleged incident took place between 02.07.2016 to 17.05.2019 and the report was lodged on 11.10.2019 which shows that the present case is completely fabricated. He also submits that the applicant is in custody since 11.10.2019, 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 11.10.2019, 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