

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7206 of 2019

- Sangram Mehar S/o Manglu Mehar Aged About 19 Years R/o Sarsiguda, Titlagarh, Station Titlagarh, District Banlagir Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Supela, District Durg, Chhattisgarh

---- Respondent

For Applicant : Shri Sanjay Agrawal, Advocate
For Respondent/State : Shri Anurag Verma, PL
None for the complainant though notice has been served.

Hon'ble Smt. Justice Rajani Dubey

Order On Board

13/03/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.401/2019 registered at police station Supela, District Durg (CG) for the offence punishable under Sections 363,366 and 376 IPC and Sections 3 & 4 of the POCSO Act.

As per prosecution case, report was lodged by the mother of the applicant that her daughter is found missing. It is alleged that the prosecutrix eloped with the applicant who promised her for marriage and took her to Titlagarh (Orissa) and from there to Ahemdabad, Gujarat. It is further alleged that they had developed physical relations and on investigation, the prosecutrix was recovered from the custody

of the applicant.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the prosecutrix has not supported the prosecution case before the trial court. He further submits that the applicant is in jail since 11.05.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the fact that the prosecutrix has not supported the prosecution case before the trial court and the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge