

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7318 of 2019**

- Jitendra Puraina S/o. Shri Ramcharan Puraina Aged About 26 Years R/o. Vinayka Chowki Malhar, P.S. Masturi, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through-The Station House Officer, Police Chowki Malhar, P.S. Masturi, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Rajeev Kumar Dubey, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.1.2020**

1. 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.425/2019 registered at Police Station -Police Chowki Malhar, P.S. Masturi, District Bilaspur(C.G.) for the offence punishable under Sections 363, 366, 376 of the IPC.
2. Case of the prosecution is that the complainant lodged a report that on 15.10.2019 the applicant abducted his daughter and committed sexual intercourse with her.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that the prosecutrix was a consenting party and she is aged more than 16 years and herself had gone with the applicant. He submits that the applicant is in custody since

20.10.2019 and the trial is likely to take some time for its final disposal, therefore, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the prosecutrix is aged above 16 years, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
8. Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge