

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7513 of 2019

- Raghuvir Singh Negi S/o Bhavani Singh Aged About 42 Years
R/o Sanjay Nagar, Saraipali, Police Station Saraipali, District
Mahasamund Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Fasterpur, District Mungeli Chhattisgarh.

---- Respondent

For Applicant	: Shri K.S.Kurre, Advocate
For Respondent/State	: Shri Wasim Miyan, PL

Hon'ble Smt.Justice Rajani Dubey

Order On Board

14/01/2020

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.105/2018 registered at police station Fasterpur, district Mungeli (CG) for the offence punishable under Sections 363,366 and 376 IPC and Section 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.

Case of the prosecution in brief is that missing report was lodged by mother of the prosecutrix alleging that on 25.07.2019, her daughter aged about 17 years, went to computer class and did not return. It is alleged that she was having friendship with the applicant and it is he who had abducted her daughter and was recovered from

his house.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the applicant has eloped with the applicant of her own and also developed physical relations. He submits that the main allegation is against Ajay and the only allegation against him is that he had provided shelter in his house. Lastly, he submits that the applicant is in jail since 20.09.2019 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 nature of allegation 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