

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7719 of 2019**

- Rajendra Kurre Alias Banda S/o Sukhchand Kurre Aged About 19 Years R/o Mini Basti Jarhabhata, Police Station Civil Line, District Bilaspur, Chhattisgarh. (Father's Name Wrongly Mentioned As Sukhnand Kurre In The Lower Court's Order)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer Police Station Mahila Thana Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Shivali Dubey, Advocate.
For Respondent	:	Shri Anil Tripathi, P.L.
For Objector	:	Shri Ajay Chandra, Advocate.

Hon'ble Smt Justice Rajani Dubey**Order on Board****24/01/2020**

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.09/2019, registered at Police Station - Mahila Thana, District Bilaspur (C.G.) for the offence punishable under Sections 363(D), (A), 363(b), 366(a), 506, 376 IPC and Sections 3, 4 of POCSO Act, 2012.
2. The prosecution case, in brief, is that when the applicant along with his friends were enjoying party playing sound system in loud voice, complainant Godavari made a written complaint in police station, based on which, offence under Sections 107, 116 and 151 IPC was registered and they got bail in that offence immediately. Being annoyed this, she made a call to her son who told her that he will implicate them in a serious offence. Based on this, offence has been registered. The present applicant has been taken into

custody on 25.02.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. She further submits that the prosecutrix, in her 161 and 164 CrPC statement, has clearly stated that she gave statement under the pressure of her mother and brother. She also submits that the applicant is in custody since 25.02.2019 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, statements of the prosecutrix recorded under Sections 161 and 164 and further considering the fact that the applicant is in custody since 25.02.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant 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