NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7253 of 2019

- Virendra Verma, S/o Khemlal Verma, Aged About 20 Years, R/o Village Sandi, Police Station Chhuikhadan, Tahsil - Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, Police Station - Khairagarh, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shivendu Pandya, Adv.
For Respondent/State : Mr. Vinod Kumar Tekam, P.L.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

07.01.2020

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 264/2019 registered at Police Station Khairagarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 363, 366, 376 of I.P.C. and Sections 4,8 of POCSO Act, 2012.
2. The prosecution story, in brief is that, it is alleged by the prosecutrix that on the pretext of marriage, the present accused/ applicant made sexual relationship with her for the last few months. Thereafter, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 14.10.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail

application.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the age of the prosecutrix is above 17 years. The applicant is in jail since 14.10.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Ruchi