

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7521 of 2019

- Chumanlal Manjhi S/o Dayashankar Manjhi Aged About 20 Years R/o Salhebhata, Police Station Devbhog, District Gariyaband Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Devghog, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant	: Shri Raza Ali, Advocate
For Respondent /State	: Shri V.K.Agrawal, 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.09/2019 registered at police station Devbhog, Gariyaband (CG) for the offence punishable under Sections 363,366-A and 376(2)(n) IPC; Sections 4 & 6 of the Protection of Children from Sexual Offences Act and Section 3(2)(v) and 3(1)(xii) of the SC/ST (Prevention of Atrocities) Act.

Case of the prosecution in brief is that the applicant and the prosecutrix were having love affair and she eloped with the applicant and had also developed physical relation with him.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the prosecutrix is aged about 16 years and two months and she was a consenting party. He submits that the applicant is in jail since 28.08.2019 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