

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 7403 of 2019

- Indrakumar Devdas S/o Shri Tameshwar Devdas Aged About 21 Years R/o Village Kosamkhuta, Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Soumitra Kesharwani, Adv.
For Respondent-State	:-	Mr. Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

13/01/2020

- 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. 159/2019 registered at Police Station - Fingeshwar, District Gariyaband (C.G.) for the offence punishable under Section 363, 366, 376(2) of the IPC and Section 4 and 6 of the POCSO Act.
- The prosecution story, in brief, is that the complainant named Dev Singh Sinha lodged the

report in police station Fingeshwar with the averment that his daughter who is minor and aged about 17 years old has been seduced and taken by some unknown person. Police has found the prosecutrix on 25.09.2019 with the applicant in Nagpur. Based on this, offence has been registered. The present applicants have been taken into custody on 26.09.2019.

- Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix is above 17 years. Next submission is that as the applicants are in jail since 26.09.2019, he is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Court, the present applicant may be released on bail.
- On the other hand State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties and perused the entire material available on record.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that the present applicant is in jail since 26.09.2019 and as 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.

- Accused/applicant is directed to be released on bail on their 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. Applicant is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Ankit