

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7496 of 2019**

- Aniket Shrawan S/o Late Shri Suresh Kumar Shrawan Aged About 19 Years R/o Village Saja Ward No. 05, Police Station Saja, District Bemetara Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Saja, District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh

---- Respondent

For Applicant	:-	Mr. Umakant Singh Chandel, Adv.
For Respondent-State	:-	Mr. B.L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board**14/01/2020**

- 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. 281/2019 registered at Police Station – Saja, District Bemetara (C.G.) for the offence punishable under Sections 363, 366/34, 376 of the IPC and Sections 3 & 4 of the POCSO Act, and Sections 3(2)(5) and 3(1)᳚(ii) of the SCST Prevention of Atrocities Act, 1989.

- The prosecution story, in brief, is that on 23.08.2019 at about 06:00 AM mother and brother of the prosecutrix went to their field. When they came back at about 12:30 PM, prosecutrix who is a student of Class 10th was not in her house. They inquired about her and got information that some unknown boys have taken her with them by motorcycle. Thereafter on 24.08.2019, next date of the incident at about 10:30 AM they found the prosecutrix near the Saja Bus Stand and took her at police station. Based on this, offence has been registered. The present applicant has been taken into custody on 25.08.2019.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that charge-sheet has been filed. He further submits that the main allegation is not against the present applicant. Next submits that the applicant is in jail since 25.08.2019, 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 25.08.2019 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