

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7435 of 2019**

- Vikas Sahu son of Sattu Sahu, aged about 19 years, resident of village Chhatauna, P.S. Chakarbhata, District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, P.S. Sirgitti, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Shri Devendra Jaiswal, Adv.
For Respondent	:	Shri Anurag Verma, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****13/01/2020**

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.325/2019, registered at Police Station – Sirgitti, Civil and Revenue District Bilaspur (C.G.) for the offence punishable under Sections 363, 366, 376 IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. The prosecution story, in brief, is that on 11.10.2019, the present applicant abducted the prosecutrix and committed sexual intercourse with her on the pretext of marriage. Based on this, offence has been registered. The present applicant has been taken into custody on 12.10.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix accompanied the applicant of her own and in her 164 Cr.P.C. statement, she has not stated anything against the applicant. It is next

submitted that the applicant is in custody since 12.10.2019 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 and further considering the fact that the applicant is in custody since 12.10.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him 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