

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7537 of 2019**

- Shailesh Minj @ Chhotu S/o Ramdev Uraon Aged About 18 Years R/o Village Semra Chowki, Latori, P.S. Jai Nagar, District Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, P.S. Dhaurpur, District Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicant	:	Shri Atanu Ghosh, Advocate
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.1.2020**

1. 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.60/2019 registered at Police Station -Dhaurpur, District Surguja(C.G.) for the offence punishable under Sections 363, 366, 376(2) (N) of the IPC and Section 5N/6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution is that on 4.9.2019 on the call of applicant, the prosecutrix had gone to Ambikapur from where the applicant took her to his house at village Semra Sambalpur and there committed sexual intercourse with her.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that the applicant and the prosecutrix were face

book friends and thereafter they were in love and the prosecutrix was pressurizing the applicant for marriage. But as the prosecutrix was below 18 years, the applicant denied to marry her and then she herself had gone to the applicant. He submits that the applicant is in custody since 17.9.2019 and the trial is likely to take some time for its final disposal, therefore, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the prosecutrix is aged about 17 years and 4 months and charge sheet has been filed, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
8. Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge