

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7697 of 2019**

- Bajman @ Rohan Netam S/o Saradu Netam, Aged About 24 Years, R/o Village Bavadi P.S. And District Kondagaon, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Police Station Benur, District Narayanpur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Pravin Kumar Tulsyan, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20/01/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 31/2019 registered at Police Station-Benur, District - Narayanpur (C.G.) for the offence punishable under Sections 376 of the IPC and 6 of the Protection of Children from Sexual Offences Act.
2. The prosecution story, is that on 08.08.2019 the father of the prosecutrix lodged an FIR that the present applicant on pretext of marriage committed sexual intercourse with the prosecutrix since last 7-8 months. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the age of the prosecutrix is about 17 years and the applicant is in jail since 08.08.2019, there is no likelihood of his case being decided in near future, therefore, the present

applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the age of the prosecutrix is about 17 years and the applicant is in jail since 08.08.2019 and 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.
7. Accused/applicant is directed to be released on bail on his 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. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**