

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7631 of 2019**

- Mrigendra @ Manav Miri S/o Parmesh Miri Aged About 20 Years R/o Village Karhi Police Station City Kotwali Mungeli, District Mungeli, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer Jarhagaon, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Mr. Dheerendra Pandey, Adv.
For Respondent/State : Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02/03/2020**

1. Earlier a notice was sent to the complainant/informant namely Manharan Sahu father of the prosecutrix, pursuant to that order complainant/informant is present today before this Court with notice. On being asked, he has not made his objection regarding grant of bail to the applicant.
2. His presence be marked.
3. 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. 190/2019 registered at Police Station Jarhagaon, District-Mungeli (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and 4 & 6 of POCSO Act.
4. The prosecution story, in brief is that, on 26.08.2019 the father of the prosecutrix lodged a report that on 25.08.2019 at night after taking dinner, prosecutrix and all family members were sleeping. Early morning at about

6:00 am., when the prosecutrix was not found in her house then complainant lodged a report against the unknown person. During investigation statement of the prosecutrix has been taken, in which prosecutrix stated about the applicant. Based on this offence has been registered against the present applicant.

5. 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 applicant is in jail since 12.09.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the fact that the applicant is in jail since 12.09.2019 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.
9. 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