

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7704 of 2019**

- Jagdish Ram @ Jagdish Lohar S/o Sohanram Lohar Aged About 21 Years, R/o- Village- Oordah Bhagitoli, P.S.- Aasta, District- Jashpur, Chhattisgarh. Presently Residing At- P.S.- Gandhinagar, Ke Pass, Ambikapur, District- Sarguja, Chhattisgarh.

**---- Applicant****Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station- Ambikapur, District- Sarguja, Chhattisgarh.

**---- Respondent**


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| For Applicant        | : | Mr. Rohit Sharma, Adv.      |
| For Respondent/State | : | Mr. Vaibhav K. Agrawal, PL. |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****24/01/2020**

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. 379/2019 registered at Police Station-Ambikapur, District - Sarguja (C.G.) for the offence punishable under Sections 363, 366, 376(2)(b)(3) of the IPC, 5(b), 6 of POCSO Act and 3(2-V) of ST/SC Act.
2. The prosecution story, is that complainant lodged a report that on 20.06.2018 when complainant was resting after taking lunch at that time his one daughter/prosecutrix went somewhere without his knowledge and not came by evening, then the complainant came to know from friend of the prosecutrix that the present applicant seduced and abducted the prosecutrix. 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 deposition made by the prosecutrix before the court is itself evident of the fact that no amounting offence has been committed by the accused, and even the age of the prosecutrix is above 18 years. The applicant is in jail since 22.06.2019, 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 applicant is in jail since 22.06.2019 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**