

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7813 of 2019

- Heeralal Patel S/o Chunnilal Patel Aged About 23 Years R/o Village Bareli, Chowki Giroudpuri, Police Station Gidhour, District - Baloda Bazar Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gidhour (Police Chowki Giroudpuri) District - Baloda Bazar - Bhatapara Chhattisgarh.

---- Respondent

For Applicant	: Shri Satya Prakash Verma, Advocate
For Respondent/State	: Shri B.L.Sahu, PL

Hon,ble Smt. Justice Rajani Dubey

Order On Board

17/01/2020

Though the matter is listed on I.A. No.01, application for grant of temporary bail but with the consent of the parties, the case is heard finally.

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 225/2019 registered at police station Giroudhpuri, district Baloda Bazar, Bhatapara (CG) for the offence punishable under Sections 363,366 and 376 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

Case of the prosecution in brief is that a report was lodged by the father of the prosecutrix alleging that his daughter has eloped with

the applicant to Jammu and Kashmir. It is further alleged that at Jammu and Kashmir, they had developed physical relations.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the prosecutrix was a major and she went of her own with the applicant. Lastly, he submits that the applicant is in jail since 08.10.2019; the charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation and the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge