

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7883 of 2019**

- Siman Das S/o Ganesh Das Aged About 22 Years R/o Village Pipalkhutha, Police Station Basna, District Mahasamund, Chhattisgarh.

---- applicant

Versus

- State Of Chhattisgarh Through Station House Office, Police Station Basna, District Mahasamund, Chhattisgarh

---- Respondent

For Applicant.	:	Mr. Sudhir Kumar Sahu, Advocate.
For Respondent/State	:	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.01.2020**

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. 451/2019 registered at Police Station – Basna, District Mahasamund (C.G.) for the offence punishable under Sections 363, 366 376(2) of IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012.
2. The prosecution story in brief is that, applicant seduced the prosecutrix and on the pretext of marriage committed sexual intercourse with her. On the basis of that, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there was love affair between the

applicant and prosecutrix. He next submits that applicant is in jail since 25.10.2019, there is no previous antecedent against him, 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, age of the prosecutrix i.e. above 16 years, as the applicant is in jail since 25.10.2019 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 surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

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

Vijay Sahu