

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8115 of 2019**

Dikeshwar Verma @ Raja, son of Ashok Kumar Verma, aged about 22 years,
resident of Birejhar Chowki, Litiya, P.S. Bori, District Durg (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, through : Station House Officer, P.S. Bori, District Durg (C.G.)

----Non-applicant

For Applicant	: Mr. Pushpendra Kumar Patel, Advocate.
For Non-applicant	: Mr. Anurag Verma, Panel Lawyer.

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

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 85/2019 registered at police Station Bori, Civil and Revenue District Durg (C.G.) for the offence punishable under Section 376 of the Indian Penal Code and Sections 3 & 4 of the Protection of Children From Sexual Offences Act, 2012.

(2) Case of the prosecution, in brief, is that present applicant abducted the prosecutrix on 11.09.2019 and committed sexual intercourse with her against her will and thereby committed the aforesaid offence.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the crime in question as there is no evidence available on record to connect the applicant with the crime in question. He submits that the applicant is languishing in jail since 12.09.2019; charge sheet has already been filed and the trial is likely to take some time for its final

disposal and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the facts & circumstances of the case, further considering the facts that applicant is in detention since 12.09.2019; charge sheet has already been filed 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 trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

