

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8099 of 2019**

- Sujit Verma son of Budhelal Verma, aged about 23 years, resident of Daubada, Achholi, P.S. Urla, District Raipur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Urla, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri G.M. Hasan, Advocate.
For Respondent	:	Smt. Reena Singh, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****27/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.419/2019, registered at Police Station - Urla, District Raipur (C.G.) for the offence punishable under Sections 363, 376, 506 IPC and Sections 4 and 6 of POCSO Act, 2012.
2. The prosecution case, in brief, is that on 05.08.2019 at about 8.00 am, when the prosecutrix was going to school, near Urla Bus Stand, the applicant took her forcibly on his scooty bearing registration No.CG-04-HN-8619 to hotel where he committed sexual intercourse with her. Based on this, offence has been registered. The present applicant has been taken into custody on 04.09.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix accompanied the applicant of her own and did not resist and protest there-against. He also submits that the applicant is in custody since

04.09.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. Learned State counsel submits that at the time of incident, the age of the prosecutrix was 17 years, 5 months and 14 days.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence, and further considering the fact that the applicant is in custody since 04.09.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge