

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8265 of 2019**

Salikram @ Sanjay, S/o Bahorik Ram Sahu, Aged about 21 years, R/o Bhimpuri,
Chowki Junapara, P.S. Takhatpur, Distt. Bilaspur (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, P.S. Sarkanada, Distt.
Bilaspur (C.G.)

----Respondent.

For Applicant : Ms. Shivali Dubey, Advocate.
For Non-applicant/State : Mr. Wasim Miyan, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****10/02/2020**

(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. 924/2019 registered at police Station Sarkanda, Distt. Bilaspur for the offence punishable under Sections 363, 366 & 376 of the Indian Penal Code and Sections 4 & 6 of the POCSO Act.

(2) Case of the prosecution in brief is that the applicant, on the pretext of marriage, committed continuously sexual intercourse with the prosecutrix thereafter refused to marry her leading to lodgment of the First Information Report against him.

(3) Learned counsel for the applicant would submit that the prosecutrix is consenting party to the act of the applicant; and only when the marriage was refused by the present applicant, false report has been lodged against the present applicant. She further submits

that the applicant is in jail since 14.10.2019 and the trial is likely to take some time for its final disposal and no custodial interrogation is required and, therefore, the applicant is entitled to be released on bail.

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

(5) Taking into consideration the facts and circumstances of the case, particularly the facts that applicant is languishing in jail since 14.10.2019; the trial is likely to take time for its final disposal and no custodial interrogation is required; I am inclined to release the applicant on bail. Thus, the bail application is allowed.

(6) 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 till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

D/-

