

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 8488 of 2019**

- Ram Singh Chouhan S/o Babu Lal Chouhan Aged About 28 Years R/o Village Khamhar, Out Post Jobi, Police Station Kharsiya, District Raigarh, Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through The Station House Officer Police Station P.S. Kartala, District Korba, Chhattisgarh

**---- Respondent**

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| For Applicant        | : Shri Manoj Kumar Jaiswal, Advocate |
| For Respondent/State | : Smt. Reena Singh, PL               |

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**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**07/02/2020**

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.77/2018 registered at police station Kartala, District Korba (CG) for the offence punishable under Sections 363,366 and 376 (2)(n) IPC and Section 6 of the Protection of Children from Sexual offences Act.

As per prosecution case, a report was lodged by the father of the prosecutrix alleging that her daughter is missing and on search being made by the police, she was recovered from the custody of the applicant.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that prosecutrix is aged about 17 years and that in her statement she has stated that she has left with the applicant as she was having love affair and thus, has turned hostile. He submits that the applicant is in jail since 01.06.2019 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 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