

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1496 of 2021**

- Vinod Bhardwaj, S/o Santuram Bhardwaj, Aged About 21 Years, (Age Not Mentioned In Order Sheet) R/o Village Bagbudwa, Police Station Pathariya, District Mungeli Chhattisgarh.

**---- Applicant****Versus**

- State Of Chhattisgarh Through Police Station Takhatpur District-Bilaspur Chhattisgarh.

**---- Respondent**


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| For Applicant        | : Mr. Ravi Maheshwari, Adv. |
| For Respondent/State | : Mr. Rahul Jha, G.A.       |
| For Objector         | : Mr. Rajesh Verma, Adv.    |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****31.05.2021**

1. The matter is heard through video conferencing.
2. Victim and complainant are present today. On being asked, they have made no objection regarding grant of bail to the applicant.
3. The accused/applicant has moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 80/2020 registered at Police Station- Takhatpur, Civil & Revenue District-Bilaspur (C.G.) for the offence punishable under Sections 363, 366-A, 376 of IPC & U/s 4 & 6 of the POCSO Act, 2012.
4. The prosecution story, in brief is that, it has been alleged that present applicant took prosecutrix with him and made sexual intercourse with the prosecutrix and as a result of which she became pregnant. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
5. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in the crime in question. He further submits that prosecutrix and her father executed an affidavit in support of granting bail to the applicant. He further submits that applicant is in jail since 06.02.2021, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

6. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the present applicant is of serious in nature, therefore, no case is made out for grant of bail.
7. Learned counsel for the objector has no objection regarding grant of bail to the applicant.
8. I have heard learned counsel for the parties and perused the records.
9. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that prosecutrix and her father has no objection regarding grant of bail to the applicant. The applicant is in jail since 06.02.2021 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.
10. 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.

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