

31.7.2012

Shri Abhilash Dey, Advocate for the applicant.

Shri Chandrakant Mishra, GA for the State.

This is the first bail application filed by the applicant under Section 439 of the Cr.P.C. for grant of bail.

The applicant is in custody since 18.4.2012 in connection with Crime No. 71/2012 registered at P.S. Ratibarah, District Bhopal for the offence punishable under sections 363, 366, 376 of the IPC.

Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. As per prosecution itself, Prosecutrix Shivani is aged about more than 17 years, she had gone with the applicant on her own accord, they travelled many places and ultimately performed marriage in a Somnath Temple, thereafter, after coming back to her parental house, she lodged false and concocted report against the applicant. The charge sheet has already been filed. The applicant is in custody and trial would take considerable time to conclude, therefore, he be released on bail.

Learned counsel for State has opposed the application.

On due consideration of the contention raised by the learned counsel for the parties, I am of the considered view that it is a fit case to release the applicant on bail, therefore, without commenting on the merits of the case, this application is allowed and it is directed that applicant shall be released on bail on his furnishing a personal bond

in a sum of Rs. 30,000/- (Rs. Thirty Thousand only) with one surety in the like amount to the satisfaction of the committal Court/trial Court for securing his presence before the said Court on all the dates of hearing fixed in this regard during trial.

Certified copy as per rules.

(G.S.Solanki)
Judge

PB