

MCRC.No.6222/2014  
(Preetam Koli Vs. State of M.P.)

31.07.2014

Shri Atul Sharma, Advocate for the applicant/accused.

Shri R.K.Awasthy, Public Prosecutor for the respondent /State.

Case diary is available. After investigation, charge-sheet has already been filed on 1.05.2014.

This is the first bail application u/S. 439 of Cr.P.C. filed by the applicant for grant of bail. The applicant has been arrested by Police Station Dabra, District Gwalior in Crime No.340/2014 registered for the offence punishable under Sections 366 and 376 of IPC.

Learned counsel for the applicant submits that as alleged by the prosecution, the prosecutrix, aged 18 years had stayed along with the accused several places during the period from 23.02.2014 to 11.04.2014 and she did not complain anyone in connection with the allegations made by the prosecution. Learned counsel further contends that the prosecutrix being major had voluntarily left home and gone with the applicant/accused as she wanted to marry with the applicant. After investigation, charge-sheet has already been filed and the trial will take considerable time in disposal of the case. On the aforesaid ground, learned counsel for the applicant has prayed for grant of bail.

Learned PP opposing the submission made on behalf of

the applicant has prayed for rejection of the bail application.

On perusal of the case diary, it is evident that the alleged incident happened on 23.02.2014. The report was lodged on 11.04.2014. During this period, the prosecutrix had been in the company of the applicant/accused and stayed several places along with him.

Considering the aforesaid facts and circumstances of the case, the application is allowed and it is ordered that applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount to the satisfaction of the trial court on the condition that he shall remain present before the court concerned during trial.

A copy of this order be sent to the court concerned for compliance.

Certified copy as per rules.

(M.K.Mudgal)  
Judge