

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 2339 of 2019**

Ramsharan Singh S/o Ramkumar Singh Aged About 19 Years R/o Gram Basdae,mandir Para, Police Outpost Basdae, District Surajpur Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through Police Outpost Basdae, Police Station Surajpur, District Surajpur Chhattisgarh.

**---- Respondent**

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For Applicant	: Mr. Maneesh Sharma, Advocate.
For Respondent/State	: Mr. V.K. Agrawal, P.L.
For Objector	: Mr. Sangeet Kumar Kushwaha, Advocate

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**28/06/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 15/2019, registered at Police Station – Police Out Post Basdae, District-Surajpur (C.G.) for the offence punishable under Section 363, 366, 376 (3) of IPC and Section 4 & 6 of POCSO Act, 2012.
2. The informant of the case is present today along with his counsel and he has raised objection in releasing the Applicant on bail.
3. In this case, at the relevant time, the age of the prosecutrix was about 16 years. As per the prosecution story, on 11.01.2019 father of the prosecutrix namely Somar Sai lodged a report alleging therein that on 02.01.2019 present Applicant, on the pretext of marriage, abducted the prosecutrix and taken her with him and also committed sexual intercourse with her. On the basis of said, offence has been

registered. The Applicant was arrested on 11.01.2019.

4. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case due to some dispute between both the families. He also submits that prosecutrix in her statement recorded u/s 164 of Cr.P.C. has not supported the case of prosecution in any manner. He further submits that charge sheet has already been filed and the Applicant is in custody since 11.01.2019 and trial is likely to take some time. Therefore, he may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State and counsel for the objector opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, particularly considering the fact that the Applicant is in custody since 11.01.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one local solvent surety to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**  
**Judge**