

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 974 of 2020**

- Sonu @ Girish S/o Kishan Ratre Aged About 21 Years R/o Village Tora, Police Station Nawagarh, District Bemetara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Bemetara, Chhattisgarh.

---- Respondent

For Applicant. : Mr. Varun Sharma, Advocate.
 For Respondent/State : Mr. Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.02.2020**

1. Pursuant to the order dated 05.02.2020, complainant is present today before this Court. On being asked he made no objection regarding the grant of bail.
2. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 327/2019 registered at Police Station – Nawagarh, Civil and Revenue District Bemetara (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 6 & 12 of POCSO Act.
3. As per the prosecution case, the complainant Noharlal Sahu lodged a missing report before the concerned police station. After investigation, prosecutrix was recovered from Mungli. The allegation against the present applicant is that he abducted the prosecutrix and committed sexual intercourse with her. Based on that, offence has been registered against the applicant and he has been arrested.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He next submits that the applicant is in jail since 29.11.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.
5. Per contra, State counsel opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, particularly the fact that the complainant made no objection regarding the bail of the applicant, as applicant is in jail since 29.11.2019 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.
8. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu