

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1538 of 2021**

- Balram Yadav @ Balle S/o Khelawan Yadav, aged about 22 years, R/o village Makhanpur, Nawagarh, District Bemetara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Dharsiva, District Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Amit Kumar Sahu, Advocate.
For Respondent	:	Mr. Rahul Jha, G.A. for the State.
For Objector	:	Shailesh Puriya, Advocate.

Hon'ble Smt Justice Rajani Dubey**Order on Board****31/05/2021**

Proceeding through video conferencing

1. The applicant has preferred this **First** bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.21/2021, registered at Police Station – Dharsiva, District Raipur (C.G.) for the offence punishable under Sections 363, 366-A, 376 IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012.
2. The allegation against the present applicant is that he allured the prosecutrix, took him along with him and committed sexual intercourse with her on the false pretext of marriage. Based on which, offence has been registered. The present applicant has been taken into custody on 24.01.2021.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that the prosecutrix has not supported the case of the prosecution and she has not stated anything against the present applicant. It is next submitted that the applicant is in custody since 24.01.2021 and looking to the detention period of the applicant, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. The prosecutrix present before this Court through video conferencing and submits that she has no objection if the applicant is released on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 24.01.2021, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.
10. I.A. No.01/2021, for hearing during summer vacation stands disposed of.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Vacation Judge