

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5120 of 2018

- Lukeshwar Janghel S/o Mohan Janghel Aged About 30 Years R/o Sitadabri, Tehsil And P. S. Chhuikhadan Dist. Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through P. S. Chhuikhadan Dist. Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Rakesh Pandey, Advocate.
For Respondent	:	Mr.Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

08/08/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.123/2018 registered at Police Station– Chhuikhadan, District– Rajnandgaon(C.G.) for the offence punishable under Sections 457, 376 & 506 of Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 8.6.2018. No case is made out against him. After completion of investigation, charge-sheet has been filed. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. The prosecutrix is Panch of Grama Panchayat she has lodged FIR on 31.5.2018 about the incident that has taken place on 8.5.2018 when the applicant committed house trespass in the house of the prosecutrix and then after putting her under threat committed the offence of rape with her. Hence, this case.
6. Considered the entire material present in the case diary, the complainant herself is a Panch thus an aware citizen and holds a responsible position. The application regarding delay in lodging the FIR shall be examined by the trial Court. Hence, I am of this view that this is a fit case where applicant should be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge