

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6680 of 2018

- Rahul Shriwas @ Golu S/o Manharan Aged About 28 Years R/o Shanti Nagar, Bankimongra, S E C L Colony- Police Station Bankimongra, Tahsil- Katghora , District Korba, Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Ajak, Korba, District Korba, Chhattisgarh.

---- Respondent

For Applciant	: Shri Awadh Tripathi, Advocate
For Respondent/State	: Shti Aditya Sharma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/10/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 22/2018 registered at police station Ajak Korba, District Korba (CG) for the offence punishable under Section 376 IPC and Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act.

As per prosecution case, on 26.05.18 prosecutrix lodged a report that as her younger brother is suffering from sickling disease and therefore the applicant had donated the blood at one point of time and on account of that developed friendly relations with the prosecutrix and her family members. Further case of the prosecution is that the applicant on the pretext of marriage had developed physical relations with the prosecutrix.

Counsel for the applicant submits that the applicant has been falsely implicated and that the prosecutrix was major. He submits that the applicant

is in jail since 27.08.2018 and the trial will take time for final disposal and therefore he may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegations against the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge