

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2679 of 2019

- Ram Prasad Mandavi S/o Sampat Ram Mandavi Aged About 21 Years (Complete Name), R/o Village Pusawand P.S. Kondagaon District- Kondagaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Kondagaon, District- Kondagaon, Chhattisgarh.

---- Respondent

 For Applicant : Shri P.K. Tulsyan, Advocate
 For Respondent/State : Shri B.L.Sahu, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

21.10.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.291/2018, registered at Police Station Kondagaon, District Kondagaon(CG) for the offence punishable under Sections 323, 506, 376 and 307 of the IPC.
3. As per the case of prosecution, the prosecutrix lodged a report against the applicant that on the false pretext of marriage, the applicant committed sexual intercourse with her since last 2-3 years, he threatened her to death and tried to drown her in the pond.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix is a consenting party and she lodged the report under pressure. He

submits the applicant is in jail since 15.2.2019 and charge sheet has been filed and trial will take some time for its final disposal, therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the fact that the applicant is in jail since 15.2.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE