

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3335 of 2019**

Janu @ Parmeshwar S/o Mansingh, aged about 55 years, R/o Village Khurmunda, Tahsil Bodla, District Kabirdham (CG)

---Applicant

Versus

State of Chhattisgarh Through the Station House Officer, Pandatarai, District Kabirdham (CG)

---Non-Applicant

For Applicant	:	Mr.S.K.Guha, Advocate
For Non-Applicant	:	Mr.Ravish Verma, Government Advocate

Hon'ble Smt. Justice Rajni Dubey

Order on Board

24/05/2019

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.65/2012, registered at Police Station-Pandatarai, District-Kabirdham (CG), for the offence punishable under Sections 376 and 506 (b) of the IPC.
2. Case of the prosecution, in brief, is that on 19.4.2012 the applicant has committed sexual intercourse with the prosecutrix and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 30.3.2019, charge-sheet has already been filed and no further interrogation is required. Therefore, the applicant may be released

on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant, pre-trial detention of the applicant, the fact that charge-sheet has already been filed and no interrogation is required, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the 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/-

(Rajni Dubey)
Vacation Judge

B/-