

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4238 of 2019

- Yogesh Kumar Ram S/o Kameshwer Ram Aged About 25 Years
R/o Sukrawari Bazar, Indra Nagar, Beergaon, P.S. Urla, Raipur,
District Revenue And Civil Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Urla, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Ms. Richa Pandey, Advocate
For Respondent/State	: Shri I.Lakra, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

30/07/2019

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. 254/2019 registered at police station Urla, district Raipur (CG) for the offence punishable under Sections 366 and 376 IPC and Section 4 & 6 of the Protection of Children from Sexual Offences Act.

As per case of the prosecution, the applicant who was the neighbour of prosecutrix, has developed relation with her on the pretext of marriage.

Counsel for the applicant submits that there was delay of one year in lodging the FIR and there is no explanation for the said delay.

He submits that the applicant has been falsely implicated in the crime in question. He submits that the applicant is in jail since 15.5.19 and the trial may take some time for its disposal and therefore he 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 regular 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