

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4567 of 2019

- Mukesh Kumar Dugga S/o Ram Prasad Dugga Aged About 29 Years Residing At Village Amakada Police Station Tadoki Tahsil Antagarh District North Bastar Kanker Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Antagarh, District North Bastar Kanker Chhattisgarh.

---- Respondent

For Applicant	: Shri P.K.Tulsyan, Advocate
For Respondent/State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/08/2019

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. 28/2019 registered at police station Antagarh, District Kanker (CG) for the offence punishable under Sections 376(2)(n), 294,506 and 312 IPC.

As per prosecution case, the applicant allured the prosecutrix on the pretext of marriage had developed physical relations with her on several occasions. Subsequently, when the applicant refused to marry her, report has been lodged by the prosecutrix.

Counsel for the applicant submits that there was a long delay in lodging the FIR. He submits that they were having love affair and the

prosecutrix was major. He further submits that the applicant is in jail since 05.05.2019 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 detention period of 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