

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C No. 4928 of 2019

Vikky Jagat S/o Kamal Jagat, Aged About 22 Years R/o Khamtaha (wrongly mentioned as Khatwaha in order sheet) Police Station Bilha, District Bilaspur Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Bilha, Civil and Revenue District Bilaspur Chhattisgarh.

---- Respondent

For Applicant.	:	Shri Akhtar Hussain, Advocate.
For State/Respondent.	:	Ms. Rina Singh, PL.

Hon'ble Smt. Justice Rajani Dubey
Order on Board

22/10/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.116/2019 (as per FIR), registered at Police Station- Bilha (Civil & Revenue), District – Bilaspur, (C.G.) for the offences punishable under Sections 366 & 376 of the Indian Penal Code.
2. As per prosecution case, the applicant developed physical relationship with the prosecutrix on the false pretext of marriage. Based on which, criminal case has been registered against him.
3. It is submitted by learned counsel for the applicant that the applicant is innocent and he has been falsely implicated in this case. He further submitted that the prosecutrix is the consenting party to the act of the applicant. He also submitted that the applicant is in jail since 17.05.2019 and ready to abide by all the conditions which may be imposed while granting bail to the applicant, hence, it is prayed that the applicant may be released on bail.
4. On the other hand, the learned counsel for the State opposes the bail

application and the submission made in this respect.

5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, particularly the fact that the prosecutrix on the date of incident was major, charge-sheet has been filed and the applicant is in jail since 17.05.2019, trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on bail on executing a personal bond in the sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the concerned trial Court for his appearance as and when directed.

Sd/-

(Rajani Dubey)
Judge

Jamal