

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4804 of 2019**

- Chiranjeevi Tandon S/o Kejuram Tandon Aged About 23 Years R/o Village Matiya (B), Police Station Ranchirai, Tahsil Gunderdehi District Balod Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Balod, District Balod Chhattisgarh

---- Respondent

For Applicant	:	Shri Malay Shrivastava, Advocate.
For Respondent.	:	Shri Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

28.08.2019

1. This is the first 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.36/2019, registered at Police Station Balod, District Balod(CG) for the offence punishable under Section 376 of the IPC.
2. As per the case of prosecution, on 28.5.2019, while the victim told to be unwell mentally, was alone in the house, the applicant entered into her house and committed intercourse with her and when sister of the victim came, he ran away.
3. Learned counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the case. The victim has come with concocted story. The applicant is a married person and he has one child also. He submits the applicant is in jail since

29.5.2019 and trial will take some time for its final disposal, therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Heard learned counsel for the parties.
6. Considering the totality of the facts and circumstances of the case and the nature of allegations against the applicant and the fact that the applicant is in jail since 29.5.2019, I am of the opinion that present is a fit case to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
8. 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.
9. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE