

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4960 of 2019**

- Ranjeet Singh Tandon @ Ranjeet Singh Sharma, S/o Khageshwar Prasad Tandon, Aged about 39 years, R/o Village Amera, P.S. Palari, Civil & Revenue District Balodabzar-Bhatapara, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Palari, Civil & Revenue District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pragalbha Sharma, Advocate.
For Respondent/State	: Mr. Sushil Sahu, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**23/08/2019**

1. Heard.
2. The applicant has filed this first bail application for grant of regular bail under Section 439 of the Cr.P.C. as he is arrested in connection with crime no. 260/2019, registered at Police Station Palari, Distt. Balodabzar-Bhatapara, Chhattisgarh for the offence punishable under Sections 376, 506, 509 (B), 384, 34 of the IPC and Section 67 of the Information Technology Act.
3. As per prosecution story, the applicant and his wife/co-accused namely Ramkali Tandon were resided in the same premises along with the prosecutrix. On 22.06.2019, prosecutrix herself made a written report in concerned police station alleging therein that in the month of June 2018 at around 10 AM when she was draining her cloths, the applicant called her in his room and committed forcible sexual intercourse with her and also threatened her to kill his husband and children. It is further alleged that after the said incident

occurred, the applicant used to meet with the prosecutrix in the absence of her husband and taken photos with her and on the basis of said taken photos, he blackmailed her. Thereafter, she narrated the whole story to her husband and later on the above said written report was made. The applicant is in custody since 26.06.2019.

4. Learned counsel appearing on behalf of the applicant submits that there was an illicit love relationship between the applicant and the prosecutrix. He further submits that if the entire case of prosecution taken as it is, it seems that the prosecutrix was a consenting party in the alleged Act. *Prima Facie* no case can be made out against the applicant. The applicant is in custody since 26.06.2019 and trial is likely to take some time, therefore, he may be granted benefit of regular bail.
5. Per contra, learned counsel appearing on behalf of State opposes the bail applications and submits that there is sufficient evidence available on record against the applicant, therefore, he may not be granted benefit of regular bail.
6. I have heard learned Counsel for both the parties.
7. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties. In my considered opinion, without further commenting on merits of the case, I am inclined to release the applicant on bail
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.
10. Certified copy, as per rules.

Sd/-

(Arvind Singh Chandel)
Judge