

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5272 of 2019

- Roshan Dongre S/o Manharan Lal Aged About 20 Years Caste Ghasiya, R/o Village Kerajhariya, Police Station Pali, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Pali, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

 For Applicant : Shri Lalit Jangde, Advocate
 For Respondent/State : Shri Anurag Verma, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

23.10.2019

1. Heard.
2. This is the first bail 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.109/2019, registered at Police Station Pali, District Korba(CG) for the offence punishable under Sections 376, 506 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
3. As per the case of prosecution, the applicant prepared an obscene video of the prosecutrix and committed rape with her and threatened her to death. A report was lodged and the applicant has been arrested.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix is a consenting party and no such seizure has been made from the applicant. He further submits that the prosecutrix is aged more

than 17 years and the applicant is in jail since 27.7.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the applicant is in jail since 27.7.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. 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.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE