

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5596 of 2019

- Subham @ Jittu Tamrakar S/o Shri Rajesh Tamrakar Aged About 22 Years R/o Imlibhata, Jogi Awas, Quarter No. G-35, Police Station Sarkanda, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sarkanda, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri U.K.S.Chandel, Advocate
For Respondent/State	:	Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/11/2019

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.438/2019 registered at police station Sarkanda, District Bilaspur (CG) for the offence punishable under Sections 376,506 and 417 IPC.

As per prosecution case, the applicant developed physical relation with the prosecutrix since last three years on the pretext of marriage. It was further alleged that the applicant performed marriage with another girl.

Counsel for the applicant submits that the prosecutrix was a

married lady and she has not taken divorce from her first husband and was willing to marry the applicant. He submits that the applicant is in jail since 05.05.19 and the trial will take time for final disposal and therefore he may 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 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