

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5644 of 2019

- N. Kailash Rao @ Ranjit Rao S/o Shri N. Nagesh Rao Aged About 24 Years R/o House No. 30 / 865, Hospital Ward, Behind Cycle Stand Mantralaya Parisar, Banstal, Raipur District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gole Bazar Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Shri Manoj Kumar Dubey, Advocate
For Respondent/State	: Shri Samir Sharma, Dy. GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/11/2019

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.170/2019 registered at police station Gole Bazar, District Raipur (CG) for the offence punishable under Section 376 and 506 IPC and Section 4 and 6 of the Protection of Children from Sexual Offences Act.

Case of the prosecution in brief is that the applicant and the prosecutrix were having love affair and they have also developed physical relations. It is alleged that the applicant had developed relations on the pretext of marriage and he also used to threaten the prosecutrix to marry him.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime and the prosecutrix was a consenting party. He submits that the applicant is in jail since 05.07.19; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular 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 in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge

suguna