

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5492 of 2019

- Yogesh Baghel S/o Late Mansukh Aged About 22 Years R/o Village Udri Nawagaon, Police Station And Tahsil Khairagarh, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khairagarh, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

 For Applicant : Shri Abhishek Sharma, Advocate
 For Respondent/State : Shri Wasim Miyan, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

08.11.2019

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.74/2019, registered at Police Station Khairagarh, District Rajnandgaon CG) for the offence punishable under Sections 366, 376, 506 of the IPC.
3. As per the case of prosecution, complainant lodged a report that on 27.4.2018, the applicant allured her in the name of marriage and taken to Nagpur and committed sexual intercourse with her.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He submits that the prosecutrix herself had gone with the applicant and thereafter, they performed marriage. He submits that

the applicant is in jail since 26.6.2019 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, particularly considering the nature of allegations against the applicant and charge sheet has been filed, 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 of the like amount 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