

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5631 of 2019

- Sarwan Das Patre S/o Bhukhan Das Patre Aged About 29 Years
R/o Village Govindpur, Police Station Lormi, Post- Gondkhani,
District- Mungeli, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station- Navagarh, District- Bemetara, Chhattisgarh.

---- Respondent

For Applicant	: Shri Sanjeev Kumar Sahu, Advocate
For Respondent/State	: Shri B.L.Sahu, PL

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.90/2019 registered at police station Navagarh, District Bemetara (CG) for the offence punishable under Sections 363,366 and 376 IPC and Section 8 of the Protection of Children from Sexual Offences Act.

Case of the prosecution in brief is that the applicant took the prosecutrix along with him and subjected her to rape on the pretext of marriage. It is further stated that thereafter the applicant and the prosecutrix have got married and out of their wedlock they are having a child aged about three months.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He submits that the applicant is in jail since 30.07.19 and the trial will take time for final disposal and therefore he may be released on bail.

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