

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5553 of 2019

- Ashok Jangde S/o Shri Omprakash Jangde Aged About 19 Years R/o Village Joramochh, Police Station Takhatpur, District-Bilaspur, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant	: Shri R.R.Baghel, Advocate
For Respondent/State	: Shri Anil Tripathi, 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.258/2019 registered at police station Arang, District Raipur (CG) for the offence punishable under Sections 363,366 and 376 IPC and Section 4 and 6 of the Protection of Children from Sexual Offences Act.

Prosecution case is that the applicant has developed physical relations with the prosecutrix on the pretext of marriage. It is further alleged that the prosecutrix roamed several places with the applicant and that they lived as husband and wife at village Ghoghra for ten days.

Counsel for the applicant submits that the prosecutrix was a consenting party and she has eloped with the applicant of her own. He submits that the applicant is in jail since 04.06.19; 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, 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