

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5651 of 2019**

- Santosh Yadav S/o Manaram Yadav Aged About 42 Years R/o Ganesh Nagar, Nayapara, Near Jaysthamb, Police Station Sirgitti, District Bilaspur Chhattisgarh.

**---- Applicant**

**Versus**

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

**---- Respondent**

---

|                      |                                |
|----------------------|--------------------------------|
| For Applicant        | : Shri U.K.S.Chandel, Advocate |
| For Respondent/State | : Shri Akhtar Hussain, 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.158/2019 registered at police station Sirgitti, District Bilaspur (CG) for the offence punishable under Sections 376 and 506 IPC.

Case of the prosecution in brief is that when the prosecutrix was alone in her house, applicant entered and forcibly committed rape on her. It is alleged that thereafter the applicant threatened her for life.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime and there is delay of one year in lodging the FIR. He further submits that the prosecutrix is a married lady. He

submits that the applicant is in jail since 06.08.19 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