

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5623 of 2019

- Jauwaad Ali S/o Late Khalil Aged About 70 Years R/o Village Karondamuda, Police Chowky Basdei, District Surajpur Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through Station House Officer Police Station Surajpur, District Surajpur Chhattisgarh

---- Respondent

For Applicant	: Shri Pragalbh Sharma, Advocate
For Respondent /State	: Shri Anurag Verma, 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.212/2019 registered at police station Surajpur, District Surajpur (CG) for the offence punishable under Sections 376(2)(n), 344,506,34,366 and 368 IPC.

Case of the prosecution in brief is that the applicant's son abducted the prosecutrix on the pretext of dropping her at her aunt's place at Baikunthpur but instead thereof he took along with him to his uncle's house kept her for 10-15 days and forcibly committed rape on her on the pretext of marriage. It is further stated that thereafter the applicant's son took the prosecutrix to Ambikapur and there he

threatened her to convert her religion.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He submits that the applicant is in jail since 16.07.19 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