

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5852 of 2019

- Gaiunduram Sahu S/o Gagaturam Sahu Aged About 20 Years R/o Village Biranpur Kala Beach Basti, Ward No. 07. Mahavir Chowk, Police Station Gandai, District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Office Police Station Gunderdehi, District Balod Chhattisgarh.

---- Respondent

For Applicant	: Shri Sumi Singh Rathore, Advocate
For Respondent/State	: Shri B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

07/11/2019

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. 218/2019 registered at police station Gunderdehi, district Balod (CG) for the offence punishable under Sections 376 and 366 IPC and Section 4 & 6 of the Protection of Children from Sexual Offences Act.

Prosecution case in brief is that the applicant committed sexual intercourse with the prosecutrix on the pretext of marriage.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime and there is a delay of two years in

lodging the FIR. He submits that the applicant is in jail since 13.06.19 and the trial will take time for final disposal and therefore he may be released on bail.

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 regular bail. Accordingly, their 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