

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5805 of 2019

- Pukhraj Sahu S/o Karun Sahu Aged About 25 Years R/o Village Birgudi, Police Station Sihava, Tahsil Nagari, District Dhamtari Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Sihava, District Dhamtari Chhattisgarh.

---- Respondent

For Applicant	: Shri Rakesh Kumar Thakur, Advocate
For Respondent/State	: Shri Anurag Verma, 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.67/2019 registered at police station Sihava, District Dhamtari (CG) for the offence punishable under Section 376, 417 and 493 IPC.

Case of the prosecution in brief is that the applicant and the prosecutrix lived as husband and wife and developed physical relations without marriage. It is alleged that thereafter the prosecutrix delivered a child and the applicant is denying to marry her.

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

since 05.08.19; 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 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