

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5927 of 2019

- Hemlal S/o Dhan Singh Sahu Aged About 23 Years R/o Village Sonchiraiya, Police Station Thankhamhariya, District Bemetara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant	: Shri N.S.Dhurander, Advocate
For Respondent/State	: Shri Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/11/2019

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.163/2019 registered at police station Bhilai Nagar, District Durg (CG) for the offence punishable under Sections 376 and 384 IPC.

Case of the prosecution in brief is that in the year 2017, the applicant and the prosecutrix became intimate and developed physical relations between them on the promise that he will marry her. It is further alleged that during that period, the applicant had taken some nude photographs of the prosecutrix and is threatening and blackmailing her.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He further submits that the prosecutrix was consenting party. He submits that the applicant is in jail since 11.07.2019; 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