

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5924 of 2019

- Bhagwat Sahu S/o Shri Juthelram Sahu Aged About 49 Years
R/o Gulmohar Park Ramnagar Gudhyari District- Raipur, Civil
And Revenue District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Gudhyari, Raipur,
Chhattisgarh.

---- Respondent

For Applicant	: Shri Bharat Rajput, Advocate
For Respondent/State	: Shri Anurag Verma, PL
For Objector	: Shri C.R.Sahu, Advocate

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.335/2019 registered at police station Gudhiyari, District Raipur (CG) for the offence punishable under Section 376 IPC.

Case of the prosecution in brief is that the applicant have developed physical relations with the prosecutrix on the pretext of marriage.

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 20.8.2019; 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