

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6050 of 2019

- Mohib Raza Ansari S/o Jauwaad Ali Aged About 22 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 Manish Sharma, Advocate
For Respondent/State	: Shri anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

21/11/2019

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,,506,366,368 and 34 IPC.

Case of the prosecution in brief is that the prosecutrix was abducted by the applicant on the pretext of dropping her at her aunt's place at Baikunthpur and instead thereof he took her to his uncle's home, stayed there for 10-15 days, committed rape on her and later on married her.

Counsel for the applicant submits that the applicant has been

falsely implicated in the crime in question. He submits that there was 10 days delay in lodging the report, prosecutrix was 20 years of old and was a consenting party. He submits that the applicant is in jail; the charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion 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