

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6666 of 2019

- Sakun Bai Barle W/o Shri Dilip Barle Aged About 50 Years R/o Village And Post Office Champa, Tahsil And Police Station Tilda Newra, District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Simga, Civil And Revenue District Baloabazar Chhattisgarh.

---- Respondent

For Applicant	: Shri Satya Prakash Verma, Advocate
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

18/11/2019

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.370/2019 registered at police station simga, District Baloda Bazar (CG) for the offence punishable under Sections 376,384,506,120-B,34 IPC.

Case of the prosecution in brief is that a report was lodged by the complainant alleging that son of the applicant has committed rape on her and had threatened her not to disclose about the same to anyone. It is alleged that the report has been lodged two years after the incident.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime and there was a delay of about two years in lodging the report. He submits that the applicant is in jail since 15.09.19; 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 she 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 her on regular bail. Accordingly, her 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, she shall be released on bail.

Sd/-
(Rajani Dubey)
Judge