

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6513 of 2019

- Pramod Kumar Sahu S/o Shri Chhote Lal Sahu , Aged About ----- Years , R/o Village Chhuri Kala, Police Station And Tahsil Katghora, District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Katghora, District - Korba Chhattisgarh.

---- Respondent

 For Applicant : Shri Yogesh Chandra, Advocate
 For Respondent/State : Shri V.K. Agrawal, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

02.12.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.80/1994, registered at Police Station Katghora, District Korba(CG) for the offence punishable under Sections 363, 366, 376 of the IPC.
3. As per the case of prosecution, the complainant lodged a report far in the year 1994 that the applicant on the pretext of marriage taken away his sister and committed sexual intercourse with her. Thereafter, the applicant was absconded for a long time, due to which the charge sheet could be filed in the year 2000 and now he has been arrested.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He submits that on the date of incident

in the year 1994, the prosecutrix was aged above 17 years and presently she is aged about 42 years. He further submits that applicant is in jail since 18.7.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE