

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6754 of 2019

- Lakshmikant Tandon S/o Ram Prakash Tandon Aged About 36 Years R/o Mahasathi Ward, Police Station Bhatapara (City), Bhatapara, District Balodabazar Village Doothkaitha, Police Station Bhatapara (City), District Balodabazar, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Bhatapara (City), District Balodabazar, Chhattisgarh.

---- Respondent

For Applicant	: Shri Pragalbha Sharma, Advocate
For Respondent/State	: Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/12/2019

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. 204/2019 registered at police station Bhatapara, district Baloda Bazar (CG) for the offence punishable under Sections 376 (D) and 506 IPC and Sections 4 & 6 of the Protection of Children from Sexual offences Act.

Case of the prosecution in brief is that a report was lodged by the prosecutrix alleging that on the date of incident i.e. 15.04.2019, when she visited her maternal uncle's house, her aunt, who is also accused in the present case, subjected her forcefully to be raped by the applicant and other accused namely Nirmal Sindhi after

administering juice.

Counsel for the applicant submits that the applicant has been falsely implicated in the case and that the prosecutrix is more than 17 years of age. He submits that the applicant is in jail since 27.05.2019; 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