

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6889 of 2019

- Dinesh Kumar Soni S/o Santosh Kumar Soni Aged About 24 Years R/o Village House Of Roshan Mirjha, Jarway, P.S. Kabir Nagar, Raipur, Bhatapara, District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kabir Nagar, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri C.R.Sahu, Advocate
For Respondent /State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

10/12/2019

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.23/2019 registered at police station Kabir Nagar, District Raipur(CG) for the offence punishable under Sections 376 and 354 (B) IPC and Section 4 & 6 of the Protection of Children from Sexual Offences Act.

As per prosecution case, a report was lodged by the complainant alleging that the applicant had videographed her while she was taking bath and after threatening her, subjected to rape.

Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated and that the prosecutrix is aged

more than 17 years. He further submits that the applicant is in jail since 06.02.19; 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.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on 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 of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge