

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 189 of 2020

- Rupesh Kumar Sahu S/o Birendra Kumar Sahu Aged About 19 Years R/o Village- Rajauli, Police Station- Ranchirai, District- Balod, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Ranchirai, District- Balod, Chhattisgarh

---- Respondent

For Applicant	: Shri B.P.Singh, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

02/03/2020

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. 106/2019 registered at police station Ranchirai, District Balod (CG) for the offence punishable under Sections 354,354(A), 454,376 and 511 IPC.

As per prosecution case, a report was lodged by the prosecutrix alleging that when she was alone in her house, the applicant came and made an attempt to outrage her modesty and tried to commit rape on her.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the age of the

prosecutrix is 19 years and as there was some family dispute a false case has been made against the applicant. He submits that the applicant is in jail since 11.11.2019 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