

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 479 of 2020

- Rajesh Kumar Sahu S/o Horilal Sahu Aged About 30 Years R/o Sarakbundiya, Police Station Uрга, District Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Balko, District Korba, Chhattisgarh

---- Respondent

For Applicant	: Shri Anshul Tiwari, Advocate
For Respondent/State	: Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/03/2020

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. 391/2019 registered at police station BALCO, Korba (CG) for the offence punishable under Sections 363,366 (A) and 376 IPC and Section 4 of the Protection of Children from Sexual offences Act.

As per prosecution case, report was lodged by the complainant alleging that the applicant has abducted the prosecutrix on the pretext of marriage and committed sexual intercourse with her.

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

left along with the applicant of her own and that she was more than 17 years of age. He submits that the applicant is in jail since 17.11.2019 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