

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 686 of 2020

- Shamsuddin Makrani S/o Adreyman Aged About 26 Years Resident Of Datar Road, Ambawadiyu, Police Station-A Division Pradeep Chowki, District- Junagarh Gujrat

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Chowki- Padmanabhpur, Police Station- Durg Civil And Revenue District- Durg Chhattisgarh

---- Respondent

For Applicant	: Shri Rahul Tamaskar, Advocate
For Respondent/State	: Shri B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

13/03/2020

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.814/2019 registered at police station Police Chowkii Padmanabhpur, Durg District Durg (CG) for the offence punishable under Sections 376 and 506 IPC and Section 67 of the IT Act.

As per prosecution case, report was lodged by the prosecutrix alleging that the applicant has developed physical relation with her on the pretext of marriage and has also taken Rs. 10,000/- from her. It is alleged that the applicant has abused her and threatened her for life.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant and the prosecutrix were having love affair. He further submits that the applicant is in jail since 24.11.2019; 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 counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation and 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 local surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge