

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 536 of 2020

- Nikhil Sharma S/o Shri Shiv Kumar Sharma Aged About 23 Years R/o Village Kalmeta, Post Bitli, Police Station Kareli, District Narsinghpur, Madhya Pradesh, At Present R/o House No. 23, Khushi Vatika, Amlidih, Police Station New Rajendra Nagar, Raipur, District Raipur, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station New Rajendra Nagar Raipur, District Raipur, Chhattisgarh

---- Respondent

For Applicant	: Shri Sumit Singh, Advocate
For Respondent/State	: Smt. Reena Singh, PL
For Respondent/Objector	: Shri Sakib Ahmed, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/03/2020

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. 379/2019 registered at police station New Rajendra Nagar, District Raipur (CG) for the offence punishable under Sections 376,384 and 506 IPC; Section 67 of the IT Act and Section 3(2)(va) of the SC/ST (Prevention of Atrocities) Act.

As per prosecution case, the applicant and the prosecutrix were working in a shop and they developed friendship and further had sexual relation between them. It is alleged that the applicant was

blackmailing the applicant and therefore report was lodged by the prosecutrix against the applicant.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail since 09.12.2019 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 as well as counsel for the objector 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