NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 750 of 2020

- Ashok Kumar Dewangan S/o Bajarang Lal, Aged About 32 Years R/o Behind Nirmala School, Kosabadi, Korba, Town Korba, Tahsil And District Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : P.S. Ajak, Korba, District Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Mirza Kaisar Baeg, Adv.
For Respondent/State : Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

17/03/2020

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 28/2019 registered at Police Station Ajak, Korba, District-Korba (C.G.) for the offence punishable under Sections 376, 506 of IPC and 3(2)(V) of SC & ST (Prevention of Atrocities) Act.
2. The prosecution story, in brief is that, prosecutrix lodged a complaint that the applicant allured her on pretext of marriage and committed sexual intercourse with the prosecutrix. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 08.12.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released

on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 08.12.2019, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

H.L. Sahu