

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 664 of 2020

- Shravan Sahu S/o Malikram Sahu Aged About 30 Years R/o- Dumar Talab, Mathura Nagar, Police Station- Amanaka, Raipur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Golebazar, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate
For Respondent/State	: Ms.Akshara Amit, 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.178/2019 registered at police station Gole Bazar, Raipur District Raipur (CG) for the offence punishable under Sections 376 IPC and Section 4/6 of the POCSO Act.

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

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the prosecutrix as well as her parents have not supported the prosecution case before the

trial court. He further submits that the applicant is in jail since 14.07.2019 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 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 surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge