

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 719 of 2020

- Chowaram Dahare @ Sunil Dahare S/o Laxmi Narayan Dahare Aged About 30 Years R/o Dani Tola Dhamtari, Tahsil And District Dhamtari, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Arjuni, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	: Shri Kunal Das, Advocate
For Respondent/State	: Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

16/03/2020

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. 284/2019 registered at police station Arjuni, district Dhamtari (CG) for the offence punishable under Sections 294,323,506 and 376 IPC.

As per prosecution case, report was lodged by the prosecutrix alleging that when she was alone in her house, the applicant came there committed rape on her after assaulting and threatening for life.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the prosecutrix is a consenting party and that the report was lodged by the husband of the

prosecutrix. He submits that the applicant is in jail since 28.11.2019; 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 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