

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1065 of 2020

- Anil Kumar Gupta S/o Shri Ramji Shah Aged About 32 Years R/o Pirda Flat No. 8/13, Near C. G. Housing Board, P. S. Vidhansabha Raipur, Tahsil And District Raipur Chhattisgarh,

---- Applicant

Versus

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

---- Respondent

For Applicant	: Shri Raghavendra Pradhan, Advocate
For Respondent/State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

23/03/2020

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. 25/2020 registered at police station Rajendra Nagar, Raipur, district Raipur (CG) for the offence punishable under Sections 376 and 354/34 IPC and Section 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989.

As per prosecution case, report was lodged by the complainant alleging that she has been subjected to rape by accused Uttam Singh with the help of his wife Sushila Singh Sen and that the present applicant has misbehaved with him.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He submits that the co-accused has been granted bail by this Court in M.Cr.C. No. 879/2020 vide order dated 23.03.2020 and therefore the present applicant may also be granted the benefit. He submits that the applicant is in jail since 19.01.2020 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