

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1457 of 2020**

- Satyam Patel S/o Lav Prasad Patel Aged About 22 Years  
Occupation Student, R/o Village- Pansara, Ps Basantpur,  
District- Balrampur-Ramanujganj, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through- The Station House Officer,  
Police Station- Mahala Thana. Ambikapur, District- Surguja,  
Chhattisgarh.

**---- Respondent**

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| For Applicant        | : Shri Jitendra Shrivastava, Advocate |
| For Respondent/State | : Smt. Reena Singh, PL                |

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**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**04/03/2020**

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. 03/2020 registered at police station Mahila Thana, Ambikapur, District Surguja (CG) for the offence punishable under Sections 376 (2)(a), 313 and 506 IPC.

As per prosecution case, report was lodged by the prosecutrix alleging that the applicant has committed sexual intercourse with her as a result of which she became pregnant. It is further alleged that he administered some medicine to the prosecutrix for getting her aborted.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the prosecutrix was residing with the applicant as live-in and has not stated anything against the applicant and there was no allegation of rape. He submits that the applicant is in jail since 18.01.2020 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 and that the prosecutrix has not supported the prosecution case, 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