

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1792 of 2020**

- Lokesh Kumar Janghel S/o Ramkhilawan Janghel Aged About 21 Years R/o Village- Kutelikala, Tahsil And Police Station Chhuikhadan, District Rajnandgaon, C.G.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Chhuikhadan, District- Rajnandgaon, C.G.

---- Respondent

For Applicant.	:	Mr. Sanjeev Kumar Sahu, Advocate.
For Respondent/State	:	Mr. Dinesh Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09.06.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 39/2020 registered at Police Station : Chhuikhadan, District Rajnandgaon (C.G.) for the offence punishable under Sections 366 & 506 of the IPC.
2. The allegation against the present applicant is that, initially he persuaded the prosecutrix to perform marriage, as a result of that, they performed marriage at Arya Samaj Bhilai but later on, applicant threatened her not to disclose about their marriage to anyone. Based on that, after investigation, offence has been registered and he has been arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He

further submits that the prosecutrix is a major lady and there was love affairs between applicant and prosecutrix and because the marriage of the prosecutrix was fixed anywhere else, they performed marriage with their own consent and annexed the photographs of marriage as Annexure A-2. He next added in his argument that the applicant is in jail since 26.02.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, age of the prosecutrix, as applicant is in jail since 26.02.2020 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 said Court on each and every date given to him by the said Court.
8. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee

constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

9. Certified copy, as per rule.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu