

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2692 of 2020

- Tausif Ansari S/o Late Ali Mohammad Aged About 22 Years R/o Village Karkeli, Police Station Kusmi, District- Balrampur-Ramanujganj, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Out-Post- Daura, Police Station- Pasta, District- Balrampur-Ramanujganj, Chhattisgarh

---- Respondent

For Applicant	: Shri Vikas Pandey, Advocate
For Respondent/State	: Shri Anand Verma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

02/06/2020

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.10/2019 registered at police station Pasta, Balrampur, district Ramanujganj (CG) for the offence punishable under Sections 363,368,344,370(4) and 374 IPC and Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act.

As per prosecution case, the applicant along with co-accused have abducted the prosecutrix from her lawful guardianship and detained her for about 10 days. It is alleged that she was later on

recovered from the custody of the applicants.

Contention of counsel for the applicant is that he has been falsely implicated in the case. He further submits that the prosecutrix has not supported the prosecution case and has turned hostile before the trial court. He submits that the applicant is in jail since 30.03.2019 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 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. 50,000/- with one local surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnishing 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.

Sd/-
(Rajani Dubey)
Judge