

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3024 of 2020**

- Teejram Bhardwaj son of Gopal Bhardwaj, aged about 27 years, R/o village – Kosmanda, Police Station Palari, District Baloda Bazaar, Bhatapara (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station – Palari, District Baloda Bazaar Bhatapara, Chhattisgarh

---- Respondent

For Applicant	:	Shri Yogesh Chandra, Advocate.
For Respondent	:	Shri Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/06/2020**

1. Heard.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.478/2019 registered at Police Station – Palari (wrongly mentioned as Kasdol in order sheet), District Baloda Bazar Bhatapara (C.G.) for the offence punishable under Sections 376, 294, 506 and 323 of the IPC.
4. Allegation against the present applicant is that he committed sexual intercourse with the prosecutrix many times on the false pretext of marriage, assaulted her and also threatened her to kill. Based on this, offence has been registered. The present applicant is in custody since 19.12.2019.

5. Learned counsel for the applicant submits that the present applicant has been falsely implicated in the crime in question. He further submits that as the applicant is in custody since 19.12.2019, charge sheet has been filed and the trial is likely to take some time for its final disposal, he may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. Considering the totality of the facts and circumstances of the case, in particular the quality of evidence and the detention period, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one solvent surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
9. 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 23.3.2020 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 bond afresh and the bail bond already furnished shall be deemed to be the bail bond furnished in compliance of the order of this Court, but if he has not furnished the bail bond earlier, then he will be

required to furnish bail bond within four weeks from today.

10. Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

pekde