

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3650 of 2020

- Arun Kumar Singh, S/o. Bhorik Singh, Aged about 32 years,
R/o. Utai, Tahsil and District Durg CG

---- Applicant

Versus

- State Of Chhattisgarh, Through District Magistrate, District
Raipur CG

---- Respondent

For Applicant : Shri Sushil Dubey, Advocate
For Respondent /State : Ms. Sunita Jain, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

03/09/2020

Heard on admission.

Admit.

The applicant has filed this second 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. 36/2019 registered at police station Ganj, Raipur, (CG) for the offence punishable under Sections 364(A), 368, 394, 376(D) and 120-B IPC.

Earlier bail application was dismissed as withdrawn by the applicant vide order dated 23.10.2019 in M.Cr.C. No. 4387/2019.

As per prosecution case, report was lodged by the complainant alleging that on the date of incident, when he was working in his shop, his brother informed him that the victim was caught by some unknown persons, snatched her mobile and demanded Rs. 5,00,000/- as

ransom or else she would be killed. It is also alleged that the applicant and co-accused persons committed rape on her.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that as per order sheet dated 15.11.2019, charges were framed against the applicant under Sections 364(A), 368, 394 and 120-B IPC and has been discharged from the offence under Section 376(D) IPC. He further submits that the main allegation is against the other co-accused persons. Lastly, he submits that the applicant is in jail since 03.02.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore he may be released on bail.

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 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