

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4670 of 2020

- Pastar S.Amritram, S/o. S.Joseph, Aged about 45 years, R/o. Pragati Nagar Camp-1, Quarter No.95-H, Front of Gurudwara, Police Station Chhawani, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Chhawani, District Durg Chhattisgarh.

---- Respondent

For Applicant : Shri Tarun Dansena, Advocate
For Respondent /State : Shri H.S.Ahluwalia, Dy.AG

Hon'ble Smt. Justice Rajani Dubey
Order On Board

11/08/2020

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.367/2019 registered at police station Chhawani, District Durg (CG) for the offence punishable under Section 376(2)(b) IPC.

As per prosecution case, the applicant entered the house of prosecutrix and forcibly committed rape on her.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the medical report of the prosecutrix does not support the prosecution case. He submits that the applicant is in jail since 18.06.2019; charge sheet has been filed 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, 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