HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4397 of 2020

- Raja Yadav, S/o. Shankar Yadav, Aged about 28 years, R/o. Nayamunda, Near Tiranga Chowk, Jagdalpur, District Bastar CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Bodhghat, district Bastar CG

---- Respondent

For Applicant : Shri Malay Shrivastava, Advocate
For Respondent /State : Shri Vikram Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

18/08/2020

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. 150/2020 registered at police station Bodhghat, District Bastar (CG) for the offence punishable under Section 376 IPC.

As per prosecution case, report was lodged by the complainant alleging that the applicant developed physical relations with her on the pretext of marriage and thereafter refused to marry her.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the prosecutrix was a consenting party and there was a delay of one year in lodging the FIR. He submits that the applicant is in jail since 23.05.2020 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 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

suguna