

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4490 of 2020

- Gopendra Sahu, S/o. Siyaram Sahu, Aged about 32 years, R/o. Village Kakdih, PS Arang, Tehsil Arang, District Raipur CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Police Station Arang, district Raipur CG

---- Respondent

For Applicant : Shri Rakesh Pandey, Advocate
For Respondent /State : Ms. Sunita Jain, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

25/08/2020

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. 283/2020 registered at police station Arang, District Raipur (CG) for the offence punishable under Sections 376,506 and 450 IPC.

As per prosecution case, report was lodged by the complainant alleging that the applicant who is her brother-in-law used to threaten her and committed rape on her on several occasions. It is the case of the prosecution that on the date of incident, when he was trying to commit rape on her, husband of the prosecutrix saw and the report was lodged.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the prosecutrix is a married lady. He submits that the applicant is in jail since 15.06.2020 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