

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4476 of 2020

- Dashmu Nag, S/o. Artik Nag, Aged about 20 years, R/o. Village Navaguda, PS Parpa, District Bastar CG

---- Applicant

Versus

- State Of Chhattisgarh, Through the Police Station Darbha, district Bastar CG

---- Respondent

For Applicant : Shri P.K.Tulsyan, Advocate
For Respondent /State : Shri Rahul Jha, 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. 24/2018 registered at police station Darbha, District Bastar (CG) for the offence punishable under Sections 376 and 417 IPC.

As per prosecution case, report was lodged by the prosecutrix alleging that she was having love affair with the applicant and they developed physical relations on the pretext of marriage. It is alleged that out of their relations, a child was also born.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the prosecutrix

is major and was a consenting party. He submits that the applicant is in jail since 19.06.2020 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