

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4912 of 2020

- Yogesh pal, S/o. Manharan Pal, Aged about 22 years, R/o. Village Bodagarh, P.S.and Tehsil Khairagarh, District Rajnandgaon CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Khairagarh, district Rajnandgaon CG

---- Respondent

For Applicant : Shri Raj Kumar Pali, Advocate
For Respondent /State : Shri Rahul Jha, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

03/09/2020

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. 235/2020 registered at police station Khairagarh district Rajnandgaon (CG) for the offence punishable under Sections 294, 376 and 509 B IPC.

As per prosecution case, report was lodged by the prosecutrix alleging that the applicant has developed physical relations with her on the pretext of marriage and thereafter by means of communicating device transmitted the images publicly.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the prosecutrix was having love affair with him and she was a major lady. He further submits that there was delay in lodging the FIR. Lastly, he submits

that the applicant is in jail since 08.07.2020 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