

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6249 of 2020**

- Pokhraj Chandravanshi @ Poshan, S/o. Murli Ram, Aged about 28 years, R/o. Village Ningapur, Outpost Damapur, PS Kunda, Tahsil Pandariya, District Kabirdham CG

**---- Applicant**

**Versus**

- State Of Chhattisgarh, Through District Magistrate, Kawardha, District Kabirdham, CG

**---- Respondent**

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For Applicant : Shri Dharmesh shrivastava, Advocate  
For Respondent /State : Shri H.S.Ahluwalia, Dy AG  
For Respondent/Objector : Shri Basant Dewangan, Advocate

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**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**28/09/2020**

Heard on admission.

Admit.

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.113/2020 registered at police station Kunda, District Kabirdham (CG) for the offence punishable under Sections 307,376(2)(n), 323 and 506 IPC.

As per prosecution case, the applicant has developed physical relation with the prosecutrix on the pretext of marriage. It is alleged that when the applicant refused to marry her, she consumed insecticide and was admitted in the hospital.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He submits that the prosecutrix and the applicant were having love affair and she was a consenting party. Lastly, he submits that the applicant is in jail since 18.07.2020 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 as well as the objector 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