

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5476 of 2020

Jainandan Manjhi, S/o Tejo @ Teju Manjhi, aged about 28 years, Caste Manjhi, R/o Harramar, Police Station Sitapur, Tehsil Mainpat, District Surguja (CG)

---- Applicant

Versus

State Of Chhattisgarh through Police Station Sitapur, District Surguja (CG)

---- Respondent

 For Applicant : Shri Vivek Mishra, Advocate
 For State/Respondent : Shri Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey
Order On Board

29.09.2020

1. The matter is heard through video conferencing.
2. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.06/2020, registered at Police Station Sitapur, District Surguja(CG) for the offence punishable under Sections 366 and 376 of the IPC.
3. Case of the prosecution is that the complainant has lodged a report that on 1.2.2020 while she had gone to market, at about 9.00 pm, she met the applicant along with 2 other persons of the village, then she told them to drop her at home, at that time, the applicant taken her on his motorcycle in the nearby field and committed rape on her.
4. Learned counsel for the applicant submits that the applicant is innocent and he has not committed any offence. He submits that the applicant is in jail since 3.2.2020 and trial may take some time for its final disposal, therefore, the applicant may be released on bail.

5. On the other hand, learned State counsel opposes the bail application.
6. I have heard learned counsel for the parties.
7. Considering the totality of the facts and circumstances of the case; nature of allegations and further considering the detention period of the applicant and trial is likely to take some time for its final disposal, I am inclined to release the applicant on regular bail. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said court as and when directed till the disposal of the trial.
9. Certified copy as per rules.

**Sd/
(Rajani Dubey)
JUDGE**