

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7310 of 2019

- Rahul Kumar Tondon (As Per Aadhar Card, Wrongly Mention As Rahul Tondon In Impunged Order) S/o Channu Das Tondon Aged About 19 Years R/o 134, Ghashidas Nagar, Near Jamul Thana, Ward No. 15, Bhilai, District Durg, Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Jamul, District Durg, Chhattisgarh.

---- Respondent

For Applicant	: Shri Avinash Chand Sahu, Advocate
For Respondent./State	: Smt. Reena Singh, PL
For Respondent/Objector	: Shri Vikas Pandey, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/01/2020

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.514/2019 registered at police station Jamul, district Durg (CG) for the offence punishable under Sections 363,366 and 376 IPC and Section 6 of the Protection of Children from Sexual Offences Act

Case of the prosecution in brief is that report was lodged by the parents of the prosecutrix against the applicant had called her to his friend's house for developing physical relations.

Counsel for the applicant submits that the applicant and the

prosecutrix were having love affair and the incident is of the year 2017. He further submits that after a delay of one year the report has been lodged. He submits that the delay has not been explained by the complainant and the applicant is in jail since 09.10.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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