

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7764 of 2019

- Prabhat Kurre S/o Shri Prakash Kurre Aged About 21 Years R/o Village Barondabazar, Police Station - Mahasamund, Tahsil And District - Mahasamund Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - Mahasamund District - Mahasamund Chhattisgarh.

---- Respondent

For Applicant	: Shri Keshav Dewangan, Advocate
For Respondent/State	: Shri V.K.Agrawal,PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

03/02/2020

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.345/2019 registered at police station Mahasamund, district Mahasamund (CG) for the offence punishable under Sections 376,457 and 506 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

Case of the prosecution in brief is that report was lodged by the father of the prosecutrix alleging that on the date of incident when he and his wife had gone out for some work, applicant entered his house threatened his daughter and subjected her to rape.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He submits that the applicant is in jail since 24.08.2019; the charge sheet has been filed 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 opposes the bail application. However, brother of the prosecutrix who is present in the court, submits that he has no objection.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation and 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