

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7748 of 2019

- Prakash Kurre @ Pappu S/o Heeralal Kurre Aged About 19 Years R/o Village Dondekhurd, Basti, Police Station Vidhansabha, District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Vidhansabha, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate
For Respondent/State	: Shri Vinod Tekam, 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.433/2018 registered at police station Vidhan Sabha, district Raipur (CG) for the offence punishable under Sections 363,366 and 376 IPC and Section 4/6 of the Protection of Children from Sexual Offences Act, 2012.

Case of the prosecution in brief is that report was lodged by the prosecutrix alleging that the applicant has developed physical relation with her on the pretext of marriage.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant and the

prosecutrix were having love affair. He submits that the applicant is in jail since 22.10.2019; 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, the prosecutrix and her mother who are present in the court, submit that they have no objection if the applicant is released on bail.

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