

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7767 of 2019

- Motilal Bargah S/o Dhankesh Bargah Aged About 20 Years R/o Jabar, Thana - Balrampur, District - Balrampur Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - Balrampur, District - Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	: Shri A.K.Yadav, Advocate
For Respondent/State	: Shri V.K.Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

21/01/2020

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. 136/2019 registered at police station Balrampur, district Ramanujganj (CG) for the offence punishable under Sections 294,506,323,376)2)(n)IPC.

As per prosecution case, report was lodged by the prosecutrix alleging that the applicant had developed physical relationship with her on the pretext of marriage.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the prosecutrix was having love affair with the applicant, she had gone along with him

of her own, stayed in his house for few days and was a consenting party. Lastly, he submits that the applicant is in jail since 27.06.2019 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 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