

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8182 of 2019

- Roshan Chandrakar S/o Jawaharlal Chandrakar Aged About 20 Years R/o Village Darrbhatha, Police Station Seepat District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station A. J. K. Bilaspur District Bilaspur Chhattisgarh

---- Respondent

For Applicant	: Shri Dharmesh Shrivastava, 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. 03/2019 registered at police station AJK, Bilaspur, district Bilaspur (CG) for the offence punishable under Section 376 IPC and Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act.

As per prosecution case, 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 further submits that the prosecutrix

was a consenting party and she was aged about 19 years. Lastly, he submits that the applicant is in jail since 24.09.2019 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