

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8353 of 2019

- Gurugovind Son Of Pawar Sai Aged About 22 Years Resident Of Village Chhermunda, P.S. And Tahsil Dhaurpur, District Surguja Chhattisgarh,

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Dhaurpur, District Surguja Chhattisgarh

---- Respondent

For Applicant	: Shri Jitendra Shrivastava, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/02/2020

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.59/2019 registered at police station Dhaurpur, District Surguja (CG) for the offence punishable under Sections 341 and 376(2)(g) IPC.

As per prosecution case, report was lodged by the prosecutrix alleging that when she was returning home after watching karma, on the way, applicant and the other accused person forcefully dragged her towards the over bridge and subjected her to rape. It is alleged that the applicant has helped the co-accused.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the main allegation is against the co-accused. He submits that the applicant is in jail since 27.09.2019 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