

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 355 of 2020

- Khilesh Dewangan S/o Mohan Dewangan Aged About 40 Years
R/o Ward No. 12, Patel Para, Ambagarh Chauki, District
Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Ambagarh
Chauki, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	: Shri S.S.Baghel, Advocate
For Respondent /State	: Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/02/2020

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.205/2018 registered at police station Ambagarh Chowki, District Rajnandgaon (CG) for the offence punishable under Sections 376 (2)(च), 376(2)(ढ). 376 (3), 506 Part II and 354(iv) IPC and Section 6 of the Protection of Children from Sexual Offences Act.

As per prosecution case, a report was lodged by the complainant alleging that the applicant subjected her to rape after consuming liquor.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the complainant is missing and the witnesses have also not supported the prosecution case. He submits that the applicant is in jail since 14.08.2018 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