

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 8487 of 2019**

- Ashish Kashyap S/o Late Babulal Aged About 30 Years R/o Opposite B J P Office, Near Old Bus Stand, Karbala Road, Police Station City Kotwali, District Bilaspur, Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Sirgitti, District Bilaspur, Chhattisgarh.

**---- Respondent**

---

|                      |                              |
|----------------------|------------------------------|
| For Applicant        | : Shri Ishan Verma, Advocate |
| For Respondent/State | : Smt. Reena Singh, PL       |

---

**Hon'ble Smt. Justice Rajani Dubey**

**Order On Board**

**07/02/2020**

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.447/2019 registered at police station Sirgitti, District Bilaspur (CG) for the offence punishable under Section 376 (2)(n) IPC.

As per prosecution case, a report was lodged by the complainant alleging that she was having love affair with the applicant and developed physical relations on the pretext of marriage.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that prosecutrix is aged about 30 years and that she was a consenting party. He submits

that the applicant is in jail since 06.12.2019 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