

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8507 of 2019

- Rajkumar Lakda S/o Balsai Lakda Aged About 20 Years R/o Village - Jamdi, Tehsil And Thana - Pendra, District - Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through - Police Station - Pasan, District - Korba Chhattisgarh.

---- Respondent

For Applicant	: Shri Abhishek Pandey, Advocate
For Respondent/State	: Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

10/02/2020

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.78/2018 registered at police station Pasan, District Korba (CG) for the offence punishable under Sections 376, 315 and 317 IPC and Section 4 of the Protection of Children from Sexual Offences Act.

As per prosecution case, one infant was found in the jungle of pathradhand village and on receiving information, police registered the offence. Investigation was done and thereafter the present applicant has been arrested.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the applicant and co-accused have developed physical relations and after giving birth, she left the infant in the jungle. He submits that the applicant is in jail since 26.08.2018 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