

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8124 of 2021

- Ajay Kumar Kango S/o Kanhaiya Lal Kango Aged About 34 Years R/o Raj Kishor Nagar, Police Station Sarkanda, Bilaspur, District- Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Khadgawa, District- Koriya, Chhattisgarh

---- Respondent

For Applicant : Shri Ravindra Kumar Agrawal, Advocate
For Respondent /State : Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

01/11/2021

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. 108/2021 registered at police station Khadgawa, District Koriya (CG) for the offence punishable under Sections 376(2)(a) IPC.

As per prosecution case, report was lodged by the prosecutrix alleging that she was having love affair with the applicant and thereafter on the pretext of marriage, developed physical relations and now he is refusing to marry her.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that now the applicant and

the prosecutrix have got married. He submits that the applicant is in jail since 22.09.2021 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 facts and also that the applicant and prosecutrix have got married, I am inclined to release him on 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 local surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-

(Rajani Dubey)

Judge