

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 607 OF 2016**

Rajesh Ravi, son of Surajdev Singh Ravi, aged about 24 years, occupation Student/Agriculture, residence of village Mahuli, P.S. Trikunda, Revenue District Balrampur, Civil District Sarguja, Chhattisgarh.

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer, P.S. Basantpur wrongly written Trikunda, District Balrampur, Chhattisgarh.

---Non-applicant

For Applicant	:	Mr. C. Jayant K. Rao, Advocate
For Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/02/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 118/2015, registered at Police Station Basantpur, Police Chowki Wadrafnagar, Dist.

Balrampur, for the offence punishable under Sections 366, 376, 450, 506 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that applicant committed sexual intercourse with major prosecutrix in the month of July, 2013 to October, 2015 and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that FIR was lodged on 06/11/2015, whereas offence is said to have been committed in the month of July, 2013 to October, 2015 and there is no explanation for inordinate delay in lodging the FIR. He would further submit that prosecutrix is major and consenting party. He would lastly submit that charge sheet has been filed and applicant is in jail since 14/12/2015, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the

parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant in offence in question; extent of delay in lodging the FIR; prosecutrix is major; charge sheet has already been filed and applicant is in jail since 14/12/2015, I am of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE