

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4009 of 2016**

- Raju Verma @ Rajkumar S/o Peeluram Verma Aged About 34 Years R/o Village Bazar Atariya, Police Station Khairagarh, Civil & Revenue District Rajnandgaon, Chhattisgarh. --  
**Petitioner**

**Versus**

- State of Chhattisgarh Through Police Station Bemetara, Civil & Revenue District Bemetara, Chhattisgarh. --- **Respondent**

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| For the applicant  | : | Mr. V.A. Govardhan, Advocate |
| For the Respondent | : | Mr.Vinod Tekam, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**26.07.2016**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 289 of 2016 registered at P.S. Bemetara, Distt. Bemetara (C.G) for the offence punishable under Sections 376, 323, 506-B of IPC.
2. As per the prosecution case, the prosecutrix is a married lady, aged about 29 years. She is living with her husband at village Borsi (Durg) and was doing the work of tailoring. A report was made by her that she received a phone call from the applicant that he is owning a cloth show-room and the prosecutrix would be employed at monthly salary of Rs.10,000/- and would be arranged a house, therefore, on 21.05.2016, she went to village Ninva and she was again asked to come on 22.05.2016. When she met the applicant on 22.05.2016 both the applicant and the prosecutrix went to temple and while they were coming back, on the way in an isolated place she was subjected to forcible rape.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated as the call details would show that the location of the applicant was at village Atharia. He further submits that looking to the way the offence is said to have been committed it shows that it is a case of false implication, therefore, he may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of prosecutrix recorded u/ss 161 & 164 Cr.P.C. Considering such statements and the age of prosecutrix who is a married lady of 29 years, without any making further observation on the merits of the case, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-  
**GOUTAM BHADURI**  
**JUDGE**