

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. No. 5008 of 2017

Ramkrishna Sahu S/o Bhanu Ram Sahu, aged about 30 years, R/o Village Singhri, P.S.Ratanpur, District Bilaspur (C.G.).

--- Applicant

Versus

State Of Chhattisgarh Through the District Magistrate, Bilaspur.

---Non-applicant

For Applicant : Shri Ravindra Agrawal, Advocate.

For Respondent/State : Ms.M.Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23/11/2017

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.130/2017 registered at Police Station Ratanpur, District Ratanpur (C.G.) for the offence punishable under Section 376 & 506 of I.P.C.
2. Present applicant is in jail since 02/06/2017.
3. The allegation against the present applicant as per the prosecution story is that, the present applicant is said to have committed the rape with the prosecutrix on 03/12/2016 and for which an F.I.R. was lodged against him on 12/05/2017 i.e. after about more than 7 months time.
4. The counsel for the applicant submits that, the prosecutrix in the instant case have been examined before the Tribunal and that she was a major lady aged around 28 years and she has not supported the case of the prosecution and have been declared hostile.
5. Considering the facts and circumstances of the case, particularly, taking note of the age of the prosecutrix so also the fact that the prosecutrix has not supported the case of the prosecution during trial, this

court is of the opinion that, prima-facie, a strong case has been made out for grant of bail to the present applicant.

6. Accordingly, the application for grant of bail is allowed. It is ordered that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Trial Court. The applicant shall thereafter appear before the Trial Court on each and every date given by the said court.

Sumit

**Sd/-
(P. Sam Koshy)
Judge**