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**HIGH COURT OF CHHATTISGARH, BILASPUR****M.CR.C. No. 7230 of 2017**

Jaishree @ Rohit Minj, S/o. Amin Ram, Aged About 20 Years, Caste -Uraon,  
R/o. Village Devgarh Rajaaara, Police Station and Tahsil -Sitapur, District  
Surguja Chhattisgarh.

---- Applicant

**Versus**

The State Of Chhattisgarh, Through : S. H. O., Police Station – Sitapur,  
District- Surguja, Chhattisgarh.

---- Respondent

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| For Applicant        | : Mr. A.K. Prasad, Advocate       |
| For Respondent/State | : Mr. Vivek Singhal, Panel Lawyer |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****Order On Board****03/01/2018**

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.19/2017, registered at Police Station – Sitapur, District – Surguja (C.G.) for the offence punishable under Section 376 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case as there had been a dispute arose between the applicant and prosecutrix regarding grazing of goat in the field of the applicant because of which, the false report has been lodged by the prosecutrix. Further the prosecutrix has made statement under Section 164 of Cr.P.C. in the investigation, which favours the grounds raised by the applicant, hence, prayed that the

applicant be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Case against the applicant is that on the date of incident, when the applicant had been to forest to bring back her goat, applicant forcefully committed sexual intercourse with her without her willingness and consent. After lodging of the report, case has been registered against the applicant.
6. Considered on the submissions made and the contents of the case diary. Taking into consideration the statement of the prosecutrix recorded under Section 164 of Cr.P.C., this Court is of the opinion that present is a 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 his 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.

Certified copy as per rules.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge