

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1879 of 2018**

Rakesh Korram, S/o Chabilal Korram, Aged about 28 years, Resident of Village – Lihagaon, Police Station – Vishrampuri, Tahsil – Baderajpur and District Kondagaon (CG)

---Applicant

Versus

State of Chhattisgarh Through Police Station Vishrampuri, District Kondagaon (CG)

---Non-Applicant

For Applicant	:	Mr.Ravi Bhagat, Advocate
For Non-applicant	:	Mr.Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

30/04/2018

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.105/2017, registered at Police Station-Vishrampuri, District-Kondagaon (CG), for the offence punishable under Sections 376 and 313 of the IPC.

2. Case of the prosecution, in brief, is that the applicant has committed rape with the prosecutrix regularly since last five years and thereby committed the offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that there is an inordinate delay in lodging the F.I.R., the prosecutrix is major, charge-

sheet has already been filed and no useful purpose will be served by detaining him in jail.

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 & circumstances of the case, nature and gravity of the offence, extent of delay in lodging the F.I.R. and the fact that charge-sheet has already been filed, 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 the 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-