

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1875 of 2018**

Revendra Sahu, S/o Mochan Sahu, aged about 21 years, R/o Purani Basti, Subhas Chauk,
Ward No.-12, P/S Supela, District – Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through -The Station House Officer, P.S. Supela, District Durg
(C.G.)

---- Non-applicant

For Applicant	:	Mr. Amiyakant Tiwari, Advocate.
For Non-applicant	:	Mr. Dilman Rati Minj, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****23/04/2018**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 1011/2017 registered at Police Station Supela, District Durg (C.G.) for the offence punishable under Sections 376, 450, 506 & 342 of the Indian Penal Code and Section 67(A) of the I.T. Act.

(2) Case of the prosecution, in brief, is that applicant committed forcible sexual intercourse with the prosecutrix for the period from 28.04.2016 to 13.09.2017 against her will and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been implicated in the crime in question. He further submits that the prosecutrix is a major girl and her medical report does not support the case of the prosecution; there is unexplained delay in lodging the FIR; applicant is languishing in jail since 23.11.2017 and the charge sheet has already been filed and, therefore, the applicant may be released on regular bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) I have heard the counsel appearing for the parties and perused the case diary..

(6) Taking into consideration the facts & circumstances of the case, further considering the extent of delay in lodging the FIR; and the facts that applicant is in jail since 23.11.2017; charge sheet has already been filed; and looking to the age of the prosecutrix as she is major on the date of incident; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(7) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

