

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2346 of 2018**

Vinod Kumar Yadav, S/o Raghunath @ Kakada Yadav, aged about 25 years,
residing at Village Dhanpunji, P.S. Nagarnar, District Bastar (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: The Police Station Nagarnar, District Bastar
(C.G.)

----Non-applicant

For Applicant	:	Mr. P.K. Tulsyan, Advocate.
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

02/07/2018

(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. 254/2017 registered at Police Station Nagarnar, District Bastar for the offence punishable under Section 376 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is said to have committed sexual intercourse with the prosecutrix since 2009 up to the date of lodging of FIR i.e. 19.11.2017 and thereby committed the aforesaid offence.

(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 the applicant is in detention since 04.12.2017 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

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

(5) Taking into consideration the nature and gravity of the offence, facts & circumstances of the case, and further considering the facts that applicant is in detention since 04.12.2017 and the charge sheet has already been filed; and the trial is likely to take some time for its final disposal, this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) 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/-

