

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6842 of 2017**

Ramprasad Singh S/o Ramdeen Singh, Aged About 35 Years Caste Gond, R/o Village Mauharpara Chhipchhipi Police Station Jhagrakhand Tahsil Manendragar, District Korea Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Incharge Police Station Jhagrakhand, District Korea Chhattisgarh.

---- Respondent

For the Applicant	:	Smt. Usha Chandrakar, Advocate.
For the Respondent/State	:	Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
ORDER

10.01.2018

Heard.

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. 102 of 2017, registered at Police Station Jhagrakhand, District Koriya, Chhattisgarh for the offence punishable under Sections 376 (2) (N) and 506 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 17.7.2017 and he has been falsely implicated in this case. As it is alleged in the FIR against the applicant that the first incident took place on 5.4.2017, when the prosecutrix was raped by the applicant and thereafter, on various occasions he has raped her and the FIR was lodged on 15.7.2017 which clearly shows that the case is deliberated and concocted. The applicant is ready to abide by all the conditions that may be imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The case against the applicant is that the applicant was usual visitor in the house of the prosecutrix. On 5.4.2017, when prosecutrix was alone in her house, finding this opportunity the applicant forcefully raped her and threatened her not to disclose about the incident to any other person. Thereafter, the prosecutrix was raped on several occasions by the applicant. After lodging of FIR, the case has been registered against the applicant.
6. Considering the submissions and the contents of the case-diary, after overall consideration and the facts and circumstances of this case, I am of the considered opinion that the applicant deserves to be released on 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/-

(Rajendra Chandra Singh Samant)
Judge