

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3325 of 2018**

Vijay Yadav S/o. Late Ishwar Yadav aged about 23 years, R/o. Jabranpara Charama Tahsil Charama, District Kanker (CG)

---Applicant

Versus

State of Chhattisgarh Through The Police Station Charama, District Kanker (CG)

---Non-Applicant

For Applicant	:	Mr.P.K.Tulsyan, Advocate
For Non-Applicant	:	Mr.R.N.Pusty, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

25/06/2018

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.206/2017, registered at Police Station-Charama, District-Kanker (CG), for the offence punishable under Sections 376 (2) (N), 493 and 506 of the IPC.

2. Case of the prosecution, in brief, is that the the applicant has committed sexual intercourse with the prosecutrix from 18.8.2016 to 18.9.2017 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 delay of more than one year in lodging the F.I.R., the applicant is in custody since 19.9.2017 and charge-sheet has been filed.

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 & gravity of the offence, role of the present applicant and extent of delay in lodging the F.I.R., 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/-