

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 3526 of 2018**

Manju Kumar Khande S/o Shri Devcharan Khande, Aged About
31 Years, R/o- Village- Chirhula, Thana- City Kotwali Mungeli,
Civil and Revenue District- Mungeli, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police
Station-City Kotwali Mungeli, Civil and Revenue District- Mungeli,
Chhattisgarh

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate
For Respondent/State	:	Shri Majid Ali, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****04/07/2018**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who is in jail since 26.02.2018 in connection with Crime No. 54/2017 registered at Police Station- City Kotwali Mungeli, District Mungeli (CG) for the offence punishable under Section 376 of IPC.

2. The allegation against the present applicant as per the prosecution is that the applicant is said to have forcibly committed rape on the prosecutrix when she had gone to her field.

3. Counsel for the applicant submits that the prosecutrix has since been examined before the trial Court and she has not supported the case of the prosecution and turned hostile. Therefore, the chances of the

applicant being convicted is very remote and prays for grant of bail to the applicant.

4. The facts are not opposed by the State counsel on verification of the record.

5. Having heard the counsel for the parties and taking note of the statement of the prosecutrix who has not supported the case of the prosecution and also considering the age of the prosecutrix and the fact that she is a married lady, this Court is of the opinion that prima facie, a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the present Applicant will 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 before the said Court as and when directed.

**Sd/-
(P. Sam Koshy)
Judge**