

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3785 of 2018**

Rambali Neti S/o Shri Ramlakhan Neti Aged About 25 Years R/o
Village Lodha (Maharaji Damar), P.S. Ramchandrapur, District
Balrampur-Ramanujganj CG

---- Petitioner

Versus

State Of Chhattisgarh Through Police Station Incharge P.S.
Ramchandrapur, District Balrampur CG

---- Respondent

For applicant	Mr. Manoj Mishra, Adv.
For Respondent/State	Ms. Sunita Jain, PL

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26-7-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested 20-1-2018 in connection with Crime No. 4/2018 registered in police station Ramchandrapur, Distt. Balrampur (CG) for offence punishable under Section 376(2)(dh), 417, 457, IPC.
3. Prosecution story in brief is that the prosecutrix is aged about 22 years and resident of village Lodha. About 3 years ago at 10 – 11 pm the applicant entered into the house of the prosecutrix and committed forcible sexual intercourse with her on the pretext of marriage and thereafter their physical relationship was continued.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application.
6. Looking to the above facts and circumstances of the case particularly para 2 of the statement of the prosecutrix P.W. 1, looking to the facts that there is no likelihood of the accused to abscond and tamper the evidence, trial will take its own time, applicant is in custody since 20-1-2018, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the application is allowed. It is ordered

that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.

7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge