

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1061 of 2019**

Samson Chacko @ Kevin S/o Shri John Chacko Aged About 31 Years R/o L. I. G. 493, Block 31, Boriyakala, Raipur District Raipur (C.G.)

---- **Applicant**
(In Jail)

Versus

State Of Chhattisgarh Through Police Station Mujgahan, District Raipur (C.G.)

---- **Respondent**

For Applicant	: Shri Pragalbha Sharma, Advocate.
For Respondent	: Shri K.K. Dewangan, Deputy Govt. Advocate.

Hon'ble Smt. Rajani Dubey, Judge

Judgment On Board

27/05/2019

1. This application under section 439 of Cr.P.C. has been filed for grant of bail as the applicant is arrested in connection with crime No. 10/2019 registered at Police Station Mujgahan district Raipur for the offence punishable under sections 376 and 506 of I.P.C.
2. Allegation against the present applicant is that he while living in the house of the prosecutrix as a paying guest, taking advantage of loneliness of the prosecutrix caught hold of her hands, touched her private parts, inserted his finger into her private part and on her raising cries, threatened her of life. On the report of the prosecutrix offence under sections 376 and 506 of I.P.C. was registered against the applicant.
3. Learned counsel for the applicant submits that the applicant has

been falsely implicated in this case and Medical Report of the prosecutrix does not support the prosecution case. He submits that the prosecutrix is a married lady, she was having live in relationship with the accused/applicant suppressing the fact that she is already married and thereby obtained huge financial assistance from the applicant. When the applicant discovered subsequently that she is already married and decided to part ways with her and demanded his money back, she lodged a false complaint against him. He submits that the applicant is in jail since 17/01/2019 and trial is likely to take sometime for completion.

4. On the other hand learned counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, the nature of allegation leveled against the applicants, without commenting on merits of the case, this Court of the opinion that present is a fit case for grant of bail to the applicant.
6. Accordingly, the application is allowed. It is directed that on applicant executing a personal bond for a sum of Rs. 25000/- with 2 sureties for the like sum to the satisfaction of the concerned Trial Court., he shall be released on bail. He shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the Trial.

**-Sd/-
(Rajani Dubey)
Vacation, Judge**