

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4154 of 2019**

Shivendra Goutam S/o Manharan Goutam, aged about 27 years Cast Aghariya
R/o Village Jhapeli, Police Station, Balouda, District Janjgir Champa (C.G.).

--- Applicant

Versus

State of Chhattisgarh Through Police of Police Station Balouda, District Janjgir
Champa (C.G.)

---- Respondent

For Applicant : Mr. C.K. Kesharwani, Advocate
For Respondent : Mr. Sushil Dubey

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

21/08/2019

1. The Applicant has preferred this First Bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 73/2019 registered at Police Station Balouda, District Janjgir-Champa (C.G.) for the offence punishable under Sections 376 and 450 of the IPC.
2. In this case, the Prosecutrix is a married lady aged about 30 years. On 20/04/2019 she made a written complaint alleging therein that on 19/04/2019 at about 2:30 pm, when she was alone in her house, the Applicant entered into her house and demanded water. Thereafter, he committed forcible sexual intercourse with her. On the basis of said report, offence has been registered. The Applicant has been arrested on 20/04/2019.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated due to some dispute with the Prosecutrix and her husband. The entire incident as narrated by the Prosecutrix is suspicious. It is further submitted that the Applicant is in custody since 20/04/2019, charge-sheet has been filed and trial will take time, therefore, the Applicant may be released on bail.
4. Counsel appearing on behalf of the State also opposes the bail application.
5. I have heard counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Applicant is in custody since 20/04/2019, charge-sheet has been filed and trial will take time, without further commenting on merit of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his furnishing a personal bond of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge