

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4814 of 2019**

- Haradhan Rai Chowdhury alias Haaru, age 58 years, S/o Shri Manoranjan Rai Chowdhury, R/o H.No. 10/525, Sanyasi Para, Near Sholapur Mata Temple Raipur, C.G.

---- Applicant

Versus

- State of Chhattisgarh Through : The Station House Officer, Police Station Khamtarai, District Raipur (C.G.)

---- Respondent

For Applicant.	:	Shri Sharad Mishra, Advocate.
For Respondent.	:	Shri Anurag Vermam, PL for the State

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18/09/2019**

1. The accused/applicant has moved this bail application under Section 439 of Criminal Procedure Code, 1973, for releasing him on regular bail during trial in connection with Crime No. 570/2018 registered at Police Station Khamtarai District Raipur (C.G.) for the offence punishable under Sections 376, 376(2)(i), 376 (2) (n) and 506 of IPC, 1860 and Sections 4, 5(L) & 6 of Protection of Children from Sexual Offences Act, 2012.
2. The prosecution story, in brief, is that on 04.10.2018 complainant/victim lodged a report against the applicant in the Police Station alleging that while she was working as a maid in the house of applicant two years ago, the applicant used to sexually assault on her in the absence of his wife and son. After four months of alleged incident, complainant lodged an FIR against the applicant narrating aforesaid incident.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in crime in question. He also submits that the prosecutrix (PW-1) did not support the case of the prosecution and turned hostile. Therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the fact that prosecutrix (PW-1) turned hostile and that the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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