

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4559 of 2019**

- Budheshwar @ Raj Manikpuri, aged about 25 years, S/o Mangaldas Manikpur, R/o Village- Chimdhi, Pujaripara, P.S. Benur, District Narayanpur, C.G.

---- Appellant**Versus**

- State of Chhattisgarh, through Police Station- Farasgaon, District Kondagaon,(C.G.)

---- Respondent_

For Applicant	:	Shri Shobhit Kosta, Adv.
For Respondent/State	:	Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06.08.2019**

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. 13/2019 registered at Police Farasgaon, district Kondagaon (C.G.) for the offence punishable under Sections 376 and 366 of IPC.
2. The prosecution story, in brief, is that prosecutrix lodged the FIR against the applicant alleging that on 13.02.2019 accused/applicant called the prosecutrix outside her house and forcibly took her with him on the motorcycle and committed sexual intercourse on the pretext of marriage. On the very next day, he took her Jagdalpur and committed the same heinous act. After investigation, accused was arrested and sent to the judicial custody.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in crime in question. He is in jail since 04.05.2019, therefore, the present appellant 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, and further considering the facts that the applicant is in jail since 04.05.2019 and 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 them by the said Court.

Sd/-
(Rajani Dubey)
Judge