

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4597 of 2019**

- Prem Singh Sidar S/o Surit Ram Sidar aged about 27 years, R/o. Village- Gatadih, P.S. Sarsiwa, Tah: Bilaigarh, District Balodabazar Bhatapara (C.G.)

---- Appellant**Versus**

- State of Chhattisgarh, through District Magistrate Balodabazar- Bhatapara, District Balodabazar- Bhatapara (C.G.)

---- Respondent_

For Applicant	:	Shri Amiyakant Tiwari, Adv.
For Respondent/State	:	Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08.08.2019**

1. The accused/applicant has moved this bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 135/2019 registered at Police Station Sarsiwa, District Balodabazar- Bhatapara (C.G.) for the offence punishable under Section 376(2)(N) of IPC 1860.
2. The prosecution story, in brief is that the applicant, who is working as a sweeper in the Gatadih government Higher Secondary School, had love affair with the prosecutrix. Both had gone to Odisha to perform marriage but did not perform the same, made sexual intercourse on the pretext of marriage and, thereafter, the applicant has left the

prosecutrix near the Haldi forest area.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant has no criminal background. The applicant is in jail since 25.05.2019, 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 25.05.2019 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 him by the said Court.

Sd/-
(Rajani Dubey)
Judge