

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4817 of 2019**

- Teman Sahu S/o Khelan Sahu, aged about 28 years, R/o Village- Teka, Police Station Rajim District Gariyaband (C.G.)

---- Appellant**Versus**

- State of Chhattisgarh, through Station House Officer, Police Station Gariyaband District Gariyaband (C.G.)

---- Respondent_

For Applicant	:	Shri Sanjeev K. Sahu, Adv.
For Respondent/State	:	Shri B.L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19.08.2019**

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. 01/2019 registered at Police Station Gariyaband, District Gariyaband (C.G.) for the offence punishable under Section 376 of IPC and Under Section 3(2)(5) of SC & ST Prevention of Atrocity Act.
2. The prosecution story, in brief is that on 30.03.2019, prosecutrix lodged an FIR at the Police Station Gariyaband against the applicant alleging that the present applicant developed sexual relationship with the prosecutrix on the pretext of marriage. Therefore, the alleged offence has been registered against the applicant.
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 25.04.2019, 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 25.04.2019 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