

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.06/2019, registered at Police Station Lakhanpur, District Surguja (CG) for the offence punishable under Sections 450, 376(1), 294, 323 of the IPC and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act, 1989.
3. As per the case of prosecution, on 12.01.2019 at about 5.00 pm when the prosecutrix was alone in the house, the applicant forcibly entered into the house of the prosecutrix and committed sexual intercourse with her. Report was lodged and the applicant was taken into custody.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix has come up

with cooked story against the applicant. He submits the applicant is in jail since 10.7.2019 and trial will take some time for its final disposal, therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the fact that the applicant is in jail since 10.7.2019, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE