

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5221 of 2019**

- Rajesh Yadav S/o Ramesh Yadav, aged about 22 years, R/o Pahadgaon, Police Station Jainagar, District Surajpur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police of Police Station – Ajak Surajpur, District Surajpur (C.G.)

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****22/10/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.112/2019, registered at Police Station – Ajak Surajpur, District Surajpur (C.G.) for the offence punishable under Sections 294, 506, 323, 376 IPC and Section 3(i)(b) and 3(2) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. The prosecution story, in brief, is that the victim lodged a report in police station alleging therein that the applicant, on the pretext of marriage, committed sexual intercourse with her many times and when her marriage was fixed with another person, the present applicant did not let her get married and also threatened her. On the basis of said report,

offence has been registered. Present applicant has been taken into custody on 26.05.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there was love affair between the applicant and the victim, the applicant wanted to marry her but parents of the applicant was not ready for the same. He also submits that the applicant is in custody since 26.05.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, and further considering the fact that the applicant is in custody since 26.05.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge