

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5347 of 2019**

- Bhuvneshwar Sahu S/o Ramadhar Sahu Aged About 23 Years R/o Village - Harratola, Satokpur, Police Station - Gaurela, District - Bilaspur, (Chhattisgarh) (Wrongly Mentioned As District - Korba, Chhattisgarh), District : Bilaspur, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through - Station House Officer, Police Station -Pasan/ A.J.K. Korba, District - Korba (Chhattisgarh), District : Korba, Chhattisgarh

**---- Respondent**

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 For Applicant : Shri Dharmesh Shrivastava, Advocate  
 For Respondent/State : Ms. Akshara Amit, Panel Lawyer  
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**Hon'ble Smt.Justice Rajani Dubey**  
**Order On Board**

**08.11.2019**

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.35/2019, registered at Police Station Pasan, A.J.K. Korba, District KorbaCG) for the offence punishable under Sections 376, 450, 506 of the IPC and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities)Act, 1989.
3. As per the case of prosecution, a report was lodged against the applicant on 11.4.2019 by the husband of the prosecutrix that the applicant entered into his house and forcibly committed sexual intercourse with his wife.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He submits that on account of some money dispute, husband of the prosecutrix lodged a false report against the applicant. He submits that the applicant is in jail since 5.5.2019 and trial may 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, particularly considering the nature of allegations against the applicant and charge sheet has been filed, 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 of the like amount 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**