

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6049 of 2019**

- Jeevan Verma S/o Vinod Verma Aged About 19 Years, R/o Village Khudmudi, Police Station Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station - Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Pandey, Adv.
For Respondent/State	:	Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 139/2019 registered at Police Station Chhuikhadan, District-Rajnandgaon (C.G.) for the offence punishable under Section 376 of the IPC.
2. The prosecution story, in brief is that on 14.05.2019 the prosecutrix lodged an FIR that on pretext of marriage the present applicant took her to one rented house on 03.05.2019 where they stayed for 10 days and during that period he committed sexual intercourse with her. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the prosecutrix was a consenting party and her age is above 18 years. The applicant is in jail since 17.05.2019, there is no likelihood of his case being decided in near future,

therefore, the present applicant 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, detention period of applicant and further considering the facts that the prosecutrix is above 18 years. The present applicant is in jail since 17.05.2019 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**