

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5964 of 2019**

- Mohammad Wasim Ansari S/o Late Mohammad Shafi Ansari Aged About 32 Years, R/o Ward No. 4, Bajarpara, Ratanpur, Tehsil Kota, District-Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : District Magistrate Bilaspur, District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. R. S. Marhas, Adv.
For Respondent/State	: Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14.11.2019**

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. 107/2019 registered at Police Station Ratanpur, District-Bilaspur (C.G.) for the offence punishable under Sections 376, 506, 509 and 509-B of the IPC.
2. The prosecution story, in brief is that, the applicant introduced himself to the prosecutrix as an unmarried young man and proposed to marry her. The applicant called the prosecutrix to his home and offered a cold-drink allegedly mixed with some intoxicant thereafter, prosecutrix became unconscious on consuming the said cold-drink and after that the applicant outrage her modesty. It is also alleged that when the prosecutrix reminded to the applicant of his promise to marry her, he threatened her of displaying the objectionable pictures and on that basis compelled her to have physical relation several times. 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 also submits that charge-sheet has been filed and charges were framed. The applicant is in jail since 29.06.2019, 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 present applicant is in jail since 29.06.2019 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**