

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6041 of 2019**

- Pradeep Kumar Rajwade, S/o Late Dular Sai, Aged About 21 Years, R/o Augustpur, Police Station - Surajpur, Tehsil And District - Surajpur, (C.G.).

---- Applicant

**Versus**

- State Of Chhattisgarh Through - The Station House Officer, Police Station - Surajpur, District - Surajpur, (C.G.).

---- Respondent

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| For Applicant        | : Ms. Sharmila Singhai, Adv. |
| For Respondent/State | : Mr. Akhtar Hussain, P.L.   |

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**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. 133/2019 registered at Police Station Surajpur, District - Surajpur, (C.G.) for the offence punishable under Sections 366, 376 of Indian Penal Code and under Sections 3 (1) (b) (1), 3 (2-5) of Atrocities Act.
2. The prosecution story, in brief is that, on 27.03.2019 the complainant husband went on work and his wife was standing alone near her house. The accused/ applicant came there and pulled her inside and committed rape with her. The complainant husband came back from the work and saw both of them in compromising position and after which accused/ applicant ran away. Thereby, the offences were registered against him.
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 charge-sheet has already been filed. The applicant is in jail since 12.07.2019, 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 the applicant and further considering the facts that the applicant is in jail since 12.07.2019 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**