

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6086 of 2019**

- Rajkumar Yadav S/o Late Sanat Yadav Aged About 31 Years, R/o Mahapalli, Police Station - Chakradhar Nagar, Tehsil And District - Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Chakradhar Nagar Tehsil And District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Amit Sharma, Adv.
For Respondent/State	:	Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19.11.2019**

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. 300/2019 registered at Police Station Chakradhar Nagar, District-Raigarh (C.G.) for the offence punishable under Section 376 of the IPC.
2. The prosecution story, in brief is that, an FIR was lodged by the father of the prosecutrix that the applicant is a mason, the applicant was working under him where the applicant and the prosecutrix started liking to each other and came into a relationship, whereby the applicant asked to him for their marriage, which was denied, after the denial the prosecutrix and the applicant tied knots with each other. 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 age of prosecutrix is more than 19

years. The applicant is in jail since 18.08.2019, 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 aged about more than 19 years. The present applicant is in jail since 18.08.2019 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**