

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6115 of 2019**

- Ramlakhan Yadav S/o Shri Dhanraj Yadav, aged about 31 years, R/o Gadgodi, Police Station – Trikunda, District Balrampur, Ramanujganj (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station – Aadim Jaati Kalyan Balrampur, District Balrampur – Ramanujganj (C.G.)

---- Respondent

For Applicant	:	Shri Rishi Rahul Soni, Advocate
For Respondent	:	Shri Vaibhav Kartikeya Agrawal, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****19/11/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.02/2019, registered at Police Station – Aadim Jati Kalyan Balrampur, District Balrampur – Ramanujganj (C.G.) for the offence punishable under Sections 366, 368, 376, 506 IPC and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. The prosecution story in brief is that on 06.01.2019 at about 2-3 am, the applicant alluring the prosecutrix took her along with him to Raipur where he confined her in a room and committed forcible sexual intercourse with her many times. Based on this, offence has been registered. The present applicant has been taken into custody on 19.05.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that the prosecutrix is major and she did not resist to the act of the applicant. He also submits that the applicant is in custody since 19.05.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he 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 record.
6. Considering the totality of the facts and circumstances of the case, in particular the age of the prosecutrix and further considering the fact that the applicant is in custody since 19.05.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge