

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6243 of 2019**

- Anis Pondi S/o Raju Pondi Aged About 20 Years R/o Village Patnampara, Sukma, District- Sukma, Chhattisgarh., District : Sukuma, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Sukma, District- Sukma, Chhattisgarh., District : Sukuma, Chhattisgarh

---- Respondent

For Applicant	:	Shri N.S. Dhurandhar, Advocate.
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.47/2019 registered at Police Station - Sukma, District Sukma(C.G.) for the offence punishable under Section 376(2(N), 506 of the IPC.
- It is the case of prosecution that the prosecutrix lodged a report that on the pretext of marriage, the applicant committed sexual intercourse with her and thereafter, denied to marry her.
- Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question; the prosecutrix is aged about 20 years and she was a consenting party and she has resided with the applicant for 1 year. He

submits that as the applicant is in custody since 21.4.2019 and the trial is likely to take some time for its final disposal, therefore, he may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- Considering the facts and circumstances of the case, in particular nature of allegations against the applicant; and the prosecutrix is aged about 20 years; applicant is in jail since 21.4.2019, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
- Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
- It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
- Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge