

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6450 of 2019**

- Pramod Kashyap S/o Jagdish Kashyap Aged About 22 Years R/o Piparkhuta, Police Station Lormi, District Mungeli Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Lormi, District Mungeli Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Deblina Maity on behalf of Mr. Akhtar Hussain, Advocate.
For Respondent	:	Mr. Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08/11/2019**

- 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. 314/2019 registered at Police Station - Lormi District Mungeli (C.G.) for the offence punishable under Sections 363, 376 of IPC.
- The prosecution story in brief is that, on 13.07.2019, the prosecutrix/complainant lodged a report before the P.S. Lalpur alleging therein that on 13.07.2019 at about 9.00 PM, accused Pramod Kashyap came to the complainant's house, took her with him to his house forcefully and outraged her modesty. On the next day, she narrated the whole story to her family member. Thereafter, offence has been registered against the applicant and the applicant was arrested 05.09.2019.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. Charge-sheet has not been filed. He further submits that

looking to the statement of the prosecutrix, it shows that she is a consenting party and the age of the prosecutrix is 19 years. Applicant is jail since 05.09.2019, there is no previous antecedent against him, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the age of the prosecutrix 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.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge