

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 6397 of 2019**

- Deendayal S/o Shri Kanhai Aged About 32 Years R/o Village Kharha Kasdol, Thana And Tahsil Kasdol, District Balodabajar-Bhatapara, Chhattisgarh.

----Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kasdol, District Balodabajar-Bhatapara, Chhattisgarh.

---- Respondent

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| For Applicant  | : | Mr. Satya Prakash Verma, Advocate. |
| For Respondent | : | Mr. Wasim Miyan, PL                |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****28/11/2019**

- 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. 617/2019 registered at Police Station - Kasdol, District Balodabazar Bhatapara (C.G.) for the offence punishable under Sections 366, 376 & 506 of IPC.
- The prosecution story in brief is that, on 04.09.2019, complainant/victim lodged the report against the applicant at Police Station Kasdol, alleging that on 03.08.2019, when she was in front of the house of Rajau, applicant caught hold her and taken to Kasdol through motor cycle and, on the way, the applicant committed sexual intercourse with her. After completion of investigation, offence has been registered against the applicant and he was arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that victim is a 28 years major lady and there

was love affairs between the applicant and victim. Applicant is in jail since 04.09.2019, 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.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, age of the prosecutrix and further considering the detention period of the applicant, 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