

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6951 of 2019**

- Mithu Ram Ravi S/o Ram Subhag Ram Aged About 24 Years, R/o Sidhma, Police Station Rajpur, District - Balrampur - Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Shankargarh, District - Balrampur - Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Jitendra Shrivastava, Adv.
For Respondent/State	:	Ms. Akshra Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/12/2019**

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. 113/2019 registered at Police Station - Sankargarh, District - Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 363, 365, 115, 376(2)(a) of the IPC, 3/4, 5/6 of the POCSO Act and 3(2-v) of the SC/ST (Prevention of Atrocities) Act.
2. The prosecution story, in brief is that the applicant and his wife took the prosecutrix on the false pretext of marriage and thereafter, they performed her marriage with one Deepak and subsequently, they forced her to have sexual intercourse with Deepak. 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 main accused is one Deepak and the

other co-accused has already been granted bail in MCRC No. 6830/2019, so, the present applicant may also be granted the benefit of bail. The applicant is in jail since 28.09.2019, 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 main accused is Deepak and other co-accused has already been granted bail. The present applicant is in jail since 28.09.2019 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**