

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7014 of 2019**

- Navin Kishore S/o Shri Mil Ram Sahu, aged about 23 years, R/o village- Kaitha, Thana & Tahsil Bilaigarh, District Balodabajar-Bhatapara Chhattisgarh

---- Applicant**Versus**

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

---- Respondent

For Applicant	:Shri Sunil Sahu, Advocate
For Respondent	:Shri B.L. Sahu, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/12/2019**

1. 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.222/2019, registered at Police Station -Bilaigarh, District Balodabajar-Bhatapara(C.G.) for the offence punishable under Sections 456, 376 of the IPC.
2. Case of the prosecution is that the complainant/prosecutrix lodged a report on 18.7.2019 that the applicant on the pretext of marriage developed physical relations with her and committed sexual intercourse many times.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime and the prosecutrix is aged about 22 years and both were in love affair and the prosecutrix was a consenting party. He submits that the

applicant is in custody since 6.9.2019 and charge sheet has been filed and trial is likely to take some time for its final disposal, therefore, the applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the prosecutrix is aged about 22 years and she was a consenting party, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. 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.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge