

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 9337 of 2018**

Jitendr Kumar Sonwani, S/o Guha Ram Sonwani, aged about 30 years, R/o Village Bhatapara, Ward No.14, Bhatheli, P.S. Bhakhara, District Dhamtari (CG).
---- Applicant

Versus

State of Chhattisgarh, through Police Station Bhakhara, District Dhamtari (CG).
---- Non-applicant

For Applicant	: Mr. Anchal Kumar Matre, Advocate.
For Non-applicant	: Mr. Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.03.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with crime No.237/2018 registered at Police Station Bhakhara, District Dhamtari for the offence punishable under Section 376 of Indian Penal Code.
3. Case of the prosecution, in brief is that the prosecutrix was aged about 30 years old. She is a resident of village Bhatheli. On 22.09.2018 at about 9:00 a.m., the applicant had entered in her house and committed forcibly sexual intercourse with her and, thereafter, he committed sexual intercourse with her thrice. He threatened her that if she will say about the incident to anyone then he shall commit suicide due to which he will give her name therefore she had not disclosed the incident to anyone.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes bail application, however, he submits that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
7. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE

L/-