

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7063 of 2019**

- Sagar @ Bhupeshwar Sonkar S/o Girdhar Sonkar, aged about 20 years, R/o Ganesh Chowk Dhamtari, District Dhamtari (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police of Police Station - City Kotwali, Dhamtari, District Dhamtari (C.G.)

---- Respondent

For Applicant	:	Shri Anil Gulati, Adv.
For Respondent	:	Shri B.L. Sahu, P.L.

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

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.397/2019, registered at Police Station - City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Sections 376, 506 IPC and Section (3)(2)(v) of the SC/ST Act.
2. The prosecution story, in brief, is that on 16.09.2019, the prosecutrix made a report in police station alleging therein that the applicant committed sexual intercourse with her on the false pretext of marriage and also threatened her to life. Based on this, offence has been registered. The present applicant has been taken into custody on 26.09.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix is major and she is

consenting party to the act of the applicant. He also submits that the applicant is in custody since 26.09.2019 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, gravity of offence and further considering the fact that the applicant is in custody since 26.09.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge