

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 208 of 2020**

- Gurubali Tunna Reddy S/o Surieya Aged About 29 Years R/o Chief House Bartunga, Police Station And Tahsil Chirmiri, District Koriya, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Of Police Station Chirmiri, District Koriya, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Praveen Kumar Tulsian on behalf of Mr. Anil Gulati, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24/02/2020**

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. 332/2019 registered at Police Station-Chirmiri, District - Koriya (C.G.) for the offence punishable under Sections 376 (2)(b), 294, 506 of the IPC and 4, 5 of POCSO Act.
2. The prosecution story, in brief is that, on 21.09.2019 prosecutrix lodged a report that when the prosecutrix was alone at her house the applicant came there and committed sexual intercourse with her and threatened her that if she disclosed to anyone he will kill her parents, thereafter, the applicant committed sexual intercourse many times with the prosecutrix. 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 prosecutrix is aged about 16 years 8 months and the applicant is in jail since 21.09.2019, 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 applicant is in jail since 21.09.2019 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**