

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 122 of 2020**

- Praveen Kumar Pradhan son of Kamleshwar Pradhan, aged about 25 years, resident of village – Ratamati, Police Station – Jashpur, Tahsil and District Jashpur (C.G.)

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Shri J.K. Saxena, Advocate
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****13/02/2020**

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.279/2019, registered at Police Station – Jashpur, District Jashpur (C.G.) for the offence punishable under Sections 376(1) and 506-I IPC.
2. The prosecution story, in brief, is that on 05.10.2019, the prosecutrix aged about 22 years, made a written report at police station, Jashpur alleging therein that she was in love with the applicant and from 15.06.2019 to 25.06.2019, he committed sexual intercourse with the prosecutrix on the false pretext of marriage. Further case is that the applicant made the video of girl viral. Based on this, offence has been registered. The present applicant has been taken into custody on 07.10.2019.
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 22 year of age and she is a consenting party to the act of the applicant. He also submits that the applicant is in custody since 07.10.2019, charge sheet has been filed 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, quality of evidence and further considering the fact that the prosecutrix is 22 years of age, the applicant is in custody since 07.10.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant 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