

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 587 of 2020**

- Khemraj Thakur S/o Dumar Thakur Aged About 28 Years R/o Village Mangnar Police Station Karpawand, District Bastar, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Police Station Karpawand District Bastar, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Pravin Kumar Tulsyan, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/03/2020**

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. 58/2019 registered at Police Station Karpawand, District-Bastar (C.G.) for the offence punishable under Section 376 of IPC.
2. The prosecution story, in brief is that, prosecutrix lodged a report that on pretext of marriage the present applicant committed sexual intercourse with the prosecutrix since last 2-3 months. 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 charge-sheet has been filed and the age of the prosecutrix is more than 20 years. He next submits that the applicant is in jail since 27.11.2019, 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 prosecutrix is aged about above 20 years and the applicant is in jail since 27.11.2019, 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**