

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 582 of 2020**

- Amit @ Badku Khairwar S/o Rampyari, Aged About 18 Years R/o Bhaisamunda, Out-Post-Ganesh Morh, P.S. Balrampur, District Balrampur Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Out-Post-Ganesh Morh, P.S. Balrampur, District Balrampur Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Pushkar Sinha, Advocate.
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/03/2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.215/2019 registered at Police Station Balrampur, District Balrampur, Ramanujganj(C.G.) for the offence punishable under Sections 376, 506 of the IPC.
2. It is the case of the prosecution that the prosecutrix lodged a report that on 28.11.2019 at 7.30 pm when she was alone in her home, the applicant came and dragged her in the Badi and committed sexual intercourse with her and fled away.
3. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix is a married lady and due to previous enmity, the applicant has been

falsely implicated in the case. He submits that the applicant is in custody since 2.12.2019 and trial is likely to take some time for its final disposal, therefore, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the detention period of the applicant, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge