

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 620 of 2020**

- Jaimangal Gond S/o Dashrath Gond Aged About 24 Years R/o Village Narsinghpur, Police Station Rajpur, District Balrampur - Ramanujganj, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Rajpur, Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C. Jayant K. Rao, Adv.
For Respondent/State	:	Ms. Akshara Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/03/2020**

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. 207/2019 registered at Police Station Rajpur, District-Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 450 and 376 of IPC.
2. The prosecution story, in brief is that, a written report was lodged by the prosecutrix that on 16.09.2019 while the prosecutrix was sleeping in her house at about 2:00 am., night, the present applicant knocked the door of the prosecutrix and committed forcefully sexual intercourse with the prosecutrix. When the mother of the prosecutrix wake-up, the present applicant ran away. 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 a

consenting party. He next submits that the applicant is in jail since 17.09.2019, 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 17.09.2019, 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**