

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 826 of 2020**

- Gorelal S/o Balsai Aged About 50 Years R/o Village Sons, Police Station And Tahsil Khadgawan, District Koriya Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Khadgawan, District Koriya Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Anil Gulati, Advocate.
For Respondent/State	:	Mr. B.L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19.03.2020**

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. 251/2019 registered at Police Station - Khadgawan, District Koriya (C.G.) for the offence punishable under Sections 376 & 450 of IPC.
2. As per the prosecution case, the allegation against the present applicant is that he committed sexual intercourse with the prosecutrix. Based on that, after investigation, offence has been registered against him and he has been arrested.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He next submits that the prosecutrix is a married lady and she was a consenting party in this case. He further submits that the charge-sheet has been filed and the applicant is in jail since 12.12.2019 and he is ready to furnish adequate surety

and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.

4. Per contra, State counsel 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, age of the prosecutrix as applicant is in jail since 12.12.2019 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 surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu