

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 879 of 2020**

- Shushila Sen W/o Uttam Sen Aged About 42 Years R/o Vidyanagar, Kosariya Bhavan, Amlidih Police Station - New Rajendra Nagar, District - Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - Rajendra Nagar, District Raipur Chhattisgarh.

---- Respondent

For Applicant. : Mr. Devarshi Thakur, Advocate.
 For Respondent/State : Mr. Vaibhav K. Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.03.2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 25/2020 registered at Police Station - Rajendra Nagar, District Raipur (C.G.) for the offence punishable under Sections 376 & 354/34 of the IPC and Section 3(2)(Va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. As per the prosecution case, the allegation against the present applicant is that he committed sexual intercourse with the prosecutrix against her will. Based on that, after investigation, offence has been registered against the applicant 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 further submits that the main allegation is against other co-

accused person. The prosecutrix is above 18 years of age, the applicant is jail since 20.01.2020, and she 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. 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 the applicant, age of the prosecutrix, as 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 her 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. She is directed to appear before the said Court on each and every date given to her by the said Court.

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

Vijay Sahu