

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1693 of 2020**

- Bhupendra Verma, S/o Manharan Verma, Aged about 27 years, R/o Ramsagar Bhatapara, Piparhattha, PS Mandir Hasaud, District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : SHO-PS Mandir Hasaud, District Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Lukesh Kumar Mishra, Advocate.
For Respondent/State	:	Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/08/2020**

1. The accused/applicant has moved this second bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 33/2019 registered at Police Station- Mandir Hasaud, District Raipur (C.G.) for the offence punishable under Sections 376, 506 and 323 of the IPC.
2. The first bail application of the applicant was dismissed as withdrawn with liberty to revive the same after examination of the prosecutrix by the Hon'ble Court on 08.11.2019 passed in MCRC No. 2949/2019.
3. The prosecution story, in brief is that, complaint filed by the prosecutrix that when she was travelling to her destination i.e. RIMS Hostel, she took lift from one unknown person who was the driver of motorcycle No. CG 04 LT 8050 at Nawagaon over bridge. It is also alleged in the written complaint that the driver of the said vehicle, instead of taking her to RIMS Hostel he committed rape with her.
4. 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 already been filed and the applicant is in jail since 04.02.2019, several times notices have been sent but have returned unserved with a note that "she is not residing on the given address", there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature, therefore, no case is made out for grant him bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, charge-sheet has already been filed and the applicant is in jail since 04.02.2019, 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.
8. 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**