

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1706 of 2020

- Laxminath @ Champi S/o Nakul Verma, Aged About 35 Years, R/o Village Jom, Police Station and Tahsil Chhuikhadan, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station, Chhuikhadan, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

----Non-applicant

For Applicant – Mr. Hemant Kesharwani, Advocate.

For Non-applicant/State – Ms. Hamida Siddiqui, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-05-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 18-02-2020 in connection with Crime No.32/2020 registered at P.S. -Chhuikhadan, District Rajnandgaon, Chhattisgarh for the offence under Section 376 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The prosecutrix is 29 years old aged person and she was a consenting party. The FIR has been lodged only because the husband of the prosecutrix saw the applicant leaving the house, therefore, the case is concocted against him. Hence, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the documents.
5. According to the prosecution case, the applicant has committed offence of rape with the victim on the date of incident regarding which the FIR has

been lodged.

6. After considering the facts and circumstances of this case, I find it a fit case for grant of regular bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge