

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2540 of 2020**

- Vinod Kumar Ravi, S/o Rampati Ram, Aged About 31 Years, R/o Village Karmha, Para- Parseli, Thana- Dhaurpur, District- Surguja, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station- Shankargarh, District- Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vikash Pandey, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

12.06.2020

1. Heard on admission.
2. Admit.
3. 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. 113/2019 registered at Police Station- Shankargarh, District- Ramanujgarh- Balrampur (C.G.) for the offence punishable under Sections 363, 365, 115, 376 (2) (ॢ) of I.P.C. and Section 3/4, 5/6 of POCSO Act, 2012 and Section 3 (2-V) of the Scheduled Tribes (Prevention of Atrocities) Act.
4. The prosecution story, in brief is that, some co-accused persons took the prosecutrix on the false pretext of marriage and thereafter, present applicant along with co-accused persons performed her marriage with one Deepak and subsequently, they forced her to have sexual intercourse with Deepak. Thereafter, offence has been registered against the present applicant and

has been arrested.

5. 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 main accused has been granted bail in MCRC No. 8252/2019 vide order dated 14.02.2020 and other co-accused persons have been granted bail in MCRC Nos. 6951/2019, 6830/2019 and 2653/2020 by this Hon'ble Court. The applicant is in jail since 12.03.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the allegation against him is of serious in nature, therefore, no case is made out for grant of bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that main accused has been granted bail in MCRC No. 8252/2019 vide order dated 14.02.2020 and other co-accused persons have been granted bail in MCRC Nos. 6951/2019, 6830/2019 and 2653/2020 by this Hon'ble Court. The applicant is in jail since 12.03.2020, 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.
9. 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. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re:**

Contagion of COVID 19 Virus in Prisons (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

10.Certified copy, as per rule.

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

Ruchi