

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3180 of 2020**

- Mukesh Kumar Verma S/o Heeraram Verma, aged about 31 years, Caste Lodhi, R/o village Ward No. 19, Ghumka, Police Station Ghumka, District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through- the Station House Officer, Police Station Ghumka, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant. : Mr. Puneet Ruparel Advocate.
 For Respondent/State : Mr. K. K. Singh, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.06.2020**

1. Registry has pointed out the default.
2. Learned counsel for the applicant submits that he will remove the default within two days.
3. Heard.
4. Admit.
5. The applicant has filed this first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 35/2020 registered at Police Station : Ghumka, District Rajnandgaon (C.G.) for the offence punishable under Sections 376 & 506 of the IPC.
6. The allegation against the present applicant is that, when complainant was on the way to collage, at that time, applicant, who was in his car bearing Registration No. CG 04

HB 1454, gave her lift and committed sexual intercourse with her against her will. Based on that, after investigation, offence has been registered and he has been arrested.

7. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question because he was not involved in any such incident. He next submits that applicant and complainant are working in the same profession and they know each other very well and the complainant herself took life in the applicant's car and there is a dispute between complainant's husband and applicant, due to that they made false allegation against him. He also added that, the applicant is in jail since 16.03.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
8. On the other hand, State counsel strongly opposes the bail application.
9. I have heard learned counsel for the parties and perused the record.
10. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and age of the prosecutrix, as applicant is in jail since 16.03.2020 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.
11. 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 said Court on each and every date given to him by the said Court.

12. 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.

13. Certified copy, as per rule.

Sd/-
(Rajani Dubey)
Judge