

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3741 of 2020**

- Rajendra Chouhan, aged about 22 years, S/o Shri Radheshyam Chouhan, R/o Indira Nagar, Jamnipali, Thana Darri, Tahsil Katghora, District Korba C.G.

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Darri, District Korba C.G.

---- Respondent

For Applicant.	:	Mr. Parag Kotecha, Advocate.
For Respondent/State	:	Mr. Raghvendra Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.07.2020**

1. Heard on Admission.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 93/2020 registered at Police Station – Darri, District Korba (C.G.) for the offence punishable under Section 376 of the IPC.
4. The allegation against the applicant, as per the prosecution case, is that he committed sexual intercourse with the prosecutrix on the pretext of marriage and further continuously and repeatedly did the same. Based on that, after investigation, offence has been registered and he has been arrested.
5. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that the prosecutrix is a major lady and there was love affair between them. He next added that the applicant is in jail since 21.05.2020 and he 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.

6. Per contra, State counsel opposes the bail application.
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, 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.
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 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.

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

Vijay Sahu