

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3611 of 2020**

- Ajay Singh Gond, S/o Ganga Singh Gond, Aged about 21 years, R/o Dharampur, PS- Baikunthpur, District Koriya (C.G.) **---- Applicant**

Versus

- State of Chhattisgarh, Through – SHO, PS- Baikunthpur, District Koriya (C.G.) **---- Respondent**

For Applicant	: Mr. Samir Singh, Advocate.
For Respondent/State	: Mr. Ravish Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.07.2020**

- The accused/applicant has moved his 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. 310/2019 registered at Police Station– Baikunthpur, District- Koriya (C.G.) for the offence punishable under Section 376 of Indian Penal Code.
- According to the prosecution story, the FIR was lodged by the victim alleging in it that prior to three years from the date of lodging of FIR, the applicant used to establish physical relationship with the victim on the pretext of marriage and thereafter both of them stayed together in a house being husband and wife and one day the applicant left the house and did not come back and thereafter the FIR was lodged by the victim.
- Learned counsel for the applicant submits that the applicant is innocent person who has been falsely implicated in the aforesaid case. He further submits that the victim is a consenting party as the victim is a major lady and the victim

voluntarily accompanied with the applicant for a period of long time. He next contended that the applicant is in jail since 24.12.2019, therefore, he may be granted bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/-, with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge

Vasant