

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3755 of 2020**

- Anirudh Gond S/o Ramnath Gond Aged About 52 Years R/o Sanawal Paterapara And PS Sanawal, District Balrampur Ramanujganj Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Sanawal, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	Mr. Jitendra Shrivastava, Advocate
For Respondent/State	Ms. Fouzia Mirza, Additional Advocate General

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****27/8/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.16/2020 registered at Police Station Sanawal, Balrampur-Ramanujganj for the offence punishable under Sections 354 and 376 of the IPC.
3. Learned counsel for the applicant submits that for an incident that happened on 2.4.2020, the prosecutrix, aged bout 45 years,

initially lodged a report against the applicant for outraging her modesty by dragging her within the forest but subsequently, she improved her version in her statement under Section 161 of Cr.P.C. recorded on 16.4.2020, alleging commission of sexual intercourse. In the earlier case diary statements of the prosecutrix and witnesses Ajay and Jay Prakash, who reached the place of occurrence immediately after the incident, the factum of commission of rape was not informed to the police.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering that the applicant is in jail since 19.5.2020; the change of version of the prosecutrix and; also for the fact that the charge sheet has already been filed, this Court is inclined to release the applicant on regular bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge