

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4365 of 2020**

- Baksi Patel, age 30 years, S/o Shri Mishri Lal Patel, R/o Kailashpur, Police Chowki- Wardraf Nagar, P.S. Basantpur, District Balrampur-Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, Police Chowki- Wardraf Nagar, P.S.- Basantpur, District Balrampur-Ramanujganj Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Sharad Mishra, Advocate.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.08.2020**

1. 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. 54/2020 registered at Police Station Police Chowki- Wardraf Nagar, P. S.- Basantpur, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 376, 450, 506 of the IPC.
2. The allegation against the present applicant, as per the prosecution case is that while the prosecutrix was sleeping, the applicant entered her room and tried to outrage her modesty and threatened her not to disclose the fact to anyone. Based on that, after investigation,

offence has been registered and he has been arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He also added that on the date of incident the applicant was in the house of prosecutrix with her husband and because of previous enmity they have falsely roped the applicant in the crime in question, furthermore, there is delay in lodging the FIR which raises serious doubt about the prosecution case. He further submits that the applicant is in jail since 11.05.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 11.05.2020 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.
7. 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.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu