

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4433 of 2020**

- Ramesh Kumar Alle, S/o Late Kishan Lal Alle, Aged About 45 Years, At present- R/o Ward No. 11, Station Para, Rajnandgaon, District- Rajnandgaon (C. G.).

---- Applicant**Versus**

- The State of Chhattisgarh, Through Police Station- Kotwali, District- Rajnandgaon (C. G.).

---- Respondent

For Applicant	: Mr. Samir Singh, Adv.
For Respondent/State	: Mr. Adil Minaz, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****31.08.2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 294/2020 registered at Police Station- Kotwali, District- Rajnandgaon (C.G.) for the offence punishable under Sections 376, 450 of IPC.
2. The prosecution story, in brief is that, on 10.06.2020, at about 1.00 P.M, applicant went to drop the prosecutrix (maid), at that time applicant followed her and forcefully committed sexually intercourse with her and also threatened her. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that prosecutrix is a major lady and an FIR against the applicant, has also been filed after two days of the alleged incident. The applicant is in jail since 13.06.2020 and there is no likelihood of

his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that allegations made against the present applicant, are very clear and applicant also threatened the prosecutrix for making false allegations against her, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the prosecutrix is a major lady. The applicant is in jail since 13.06.2020 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 trial Court on each and every date given to him by the said Court.

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

Ruchi