

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4441 of 2020**

- Vikesh Kujur (wrongly mentioned in cause title as Vikesh Kumar), S/o Jagsai, Aged about 22 years, R/o village Ramnagar, PS Kusmi, District Balrampur Ramanujganj (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – PS- Karoundha, District Balrampur Ramanujganj (C.G.)

---- Respondent

For Applicant	:	Mr. Pushkar Sinha, Advocate.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/08/2020**

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. 04/2020 registered at Police Station- Karoundha, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 376 (2)(n), 323 and 506 of the IPC, 1860.
2. The prosecution story in brief is that, the prosecutrix filed a written report and alleged that the applicant since last 4-5 years in the pretext of marriage committed sexual intercourse and now denied with marriage and thereby deceitful committed rape upon her.
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 there is dispute between the family of the prosecutrix with the applicant so forged case has been roped against the present applicant. He next submits that the applicant is in jail since 10.03.2020, 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 submits that the allegation against the applicant is of serious in nature; 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, detention period of applicant and further considering that the applicant is in jail since 10.03.2020, 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**

Vasant