

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4889 of 2020**

- Vijay Vadde S/o Mahadev @ Madhav Vadde aged about 25 years, R/o. Village Tahsilpara, Bijapur, District Bijapur (C.G.)

----- Applicant**Versus**

- State of Chhattisgarh Through- Police Station- Bijapur, District Bijapur (C.G.)

----- Respondent

For Applicant.	:	Mr. P.K. Tulsyan, Adv.
For Respondent/State	:	Mr. Adil Minhaj, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.09.2020**

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. 67/2020 registered at Police Station Bijapur, District Bijapur (C.G.) for the offence punishable under Section 376 of the IPC.
2. As per the prosecution case, the allegation against the present applicant is that he has established physical relationship with the prosecutrix on the pretext of marriage. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.
3. The submission made by learned counsel for the

applicant is that the applicant has been falsely implicated in the crime in question. He further submits that there was love affair between the applicant and the prosecutrix but under the pressure of her family member she lodged a false FIR at the concerned Police Station. He further contended that as the applicant is in jail since 25.06.2020 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. Per contra, State counsel strongly opposes the bail application and submits that the allegation against the present applicant is serious in nature and if he may be released on bail, there is possibility to make inducement, threat to the prosecutrix or her family member, therefore, he may not be granted bail.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the submission of both the counsel, nature and gravity of the offence, facts and circumstances of the case, as applicant is in jail since 01.01.2020 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