

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4877 of 2020**

- Jugesh Tandi S/o Kautak Tandi aged about 29 years, R/o Near Jaikaran hotel, Stationpara, Titurdih, P.S. Mohan Nagar, District-Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Station House Officer, P. S. Mohan Nagar, District-Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. P. Chetan Kumar, Adv.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/09/2020**

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. 378/2019 registered at Police Station Mohan Nagar, District-Durg (C.G.) for the offence punishable under Sections 376 and 506 of the IPC.
2. The allegation against the applicant is that he took the prosecutrix forcefully to Raipur and other places, where they were resided in the rented house for few days and committed sexual intercourse with the prosecutrix. Based on this offence has been registered against the present applicant.
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 that the prosecutrix is a major lady of 26 years, who is falsely implicating the applicant. He also submits that the applicant is in jail since 28.12.2019, 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 28.12.2019, 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**