

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4993 of 2020**

- Laxman Yadav, son of Naresh Yadav, aged about 23 years, resident of village Temri, Post Surpa, Tahsil Patan, District Durg (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Ranitarai, District Durg (C.G.)

---- Respondent

For Applicant	:	Shri Purnendra Khichariya, Advocate
For Respondent/State	:	Shri H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt Justice Rajani Dubey**Order on Board****15/09/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.64/2020 registered at Police Station – Ranitarai, District Durg (C.G.) for the offence punishable under Sections 366, 376 and 506 IPC.
2. The allegation against the applicant is that he took the prosecutrix on motorcycle to his house and committed forcible sexual intercourse with her. Based on this, offence has been registered. The present applicant has been taken into custody on 07.05.2020.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix is major lady aged 19 year and she was the consenting party to the act of the applicant. He also submits that the applicant is in custody since 07.05.2020, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the prosecutrix is major aged 19 year, the applicant is in custody since 07.05.2020, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge