

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7449 of 2020**

- Kannilal Das S/o Dharam Das Aged About 45 Years Occupation Labour, R/o Village Beldagi, P. S. Lakhanpur, District Surguja Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through: Station House Officer, Police Station: Kotwali Ambikapur, District: Surguja, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Jitendra Shrivastava, Advocate.
For Respondent-State	:	Shri Ravish Verma, Government Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

11/12/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.346/2020, registered at Police Station: Kotwali Ambikapur, District Surguja (C.G.) for the offence punishable under Section 376 of the India Penal Code.
2. Case of the prosecution, in brief, is that the prosecutrix aged about 36 years lodged the instant First Information Report against her own brother-in-law (*jija*), alleging that the

applicant has committed forcible sexual intercourse but in her statement under Section 164 of Criminal Procedure Code recorded on 03-07-2020, she categorically stated that the First Information Report was lodged on the pressure and on the instance of members of her in-law's family without substantiating the allegations made against the applicant in the First Information Report. She also says that her in-laws pressurized her to lodge the First Information Report so that they can seek divorce for their Son (husband of the prosecutrix).

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the statement of the prosecutrix recorded under Section 164 of Criminal Procedure Code and for the fact that the applicant is in jail since 30-06-2020 and the charge sheet has already been filed, I am inclined to release the applicant on regular bail.
5. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-

(Prashant Kumar Mishra)
Judge

Amardeep