

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6838 of 2019**

- Ramdev Toppo, S/o Lalsai Toppo, Aged About 22 Years, R/o Chanchi, Police Chowki Bariyon, P.S. Rajpur, Dist. Balrampur - Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, [Police Chowki Bariyon], P.S. Rajpur, Distt. Balrampur - Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	: Shri Jitendra Shrivastava, Adv.
For Respondent/State	: Shri Anil Tripathi, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.01.2020**

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. 202/2019 registered at Police Station [Police Chowki Bariyon], P.S. Rajpur, Distt. Balrampur - Ramanujganj for the offence punishable under Sections 342, 376 & 506 of I.P.C.
2. The prosecution story, in brief is that, the prosecutrix lodged a report against the applicant to the effect that when on 11/09/2019 at about 8-9 AM she went towards her house then applicant met her and caught her hand and thereafter took her to his house and committed sexual intercourse with her forcibly. Thereafter, 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 charge-sheet has already been filed. The applicant is in jail since 12.09.2019, 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.
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, and further considering the facts that prosecutrix is aged about 31 years. The applicant is in jail since 12.09.2019 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**