

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7226 of 2019**

- Manoj Sharma, S/o Late Balmukund Sharma, Aged About 43 Years, R/o Ward No. 11, Beside Of Imambada Camp Umariya, (Kharwai), Police Station- Sehatganj, District-Umariya (M.P.).

---- Applicant

Versus

- State Of Chhattisgarh, Through-Station House Officer, Police Station-A.J.K. Korba, District-Korba Chhattisgarh.

---- Respondent

For Applicant	: Mr. Dharmesh Shrivastava, Adv.
For Respondent/State	: Mr. B. L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.01.2020**

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. 17/2019 registered at Police Station A.J.K. Korba, District-Korba (C.G.) for the offence punishable under Section 376 of I.P.C. and Section 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. The prosecution story, in brief is that, complainant filed a complaint that applicant made friendship on social media and after that applicant came her house and on the pretext of marriage applicant committed sexual intercourse with complainant. She also alleged that complainant gave Rs. 2,50,000/-to the applicant. 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 01.10.2019, 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 a major lady. The applicant is in jail since 01.10.2019 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**