

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7477 of 2019**

- Vijay Das S/o Sukhnath Das Aged About 25 Years R/o Jamguda, Lamni, P. S. Parpa, District Bastar Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer P. S. Parpa, District Bastar Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Ashutosh Shukla, Advocate
For Respondent-State	:-	Mr. V.K. Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

17/01/2020

- 1.The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.135/2019 registered at Police Station – Parpa, District Bastar (C.G.) for the offence punishable under Section 376 of the IPC.
- 2.The prosecution story, in brief, is that on 20.07.2019 the victim along with her mother and 3 sisters went to the agricultural field to do agricultural worked at

4:00 pm applicant went to Kiran's House and while returning to their home the complainant went to Kiran's house to take victim home but when complainant went to Kiran's house it was informed to her that applicant has taken victim to consume alcohol and thereafter they were searching the victim and then saw victim coming from the forest side and then victim disclose that the applicant made her to consume alcohol and then committed sexual intercourse with her. Based on this, offence has been registered. The present applicant has been taken into custody.

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 the applicant is in jail since 21.07.2019, he is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Court, the present applicant may be released on bail.
4. On the other hand State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the entire material available on record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that the present applicant is in jail since 21.07.2019 and as 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 their 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. Applicant is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Ankit