

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7645 of 2019**

- Nanhu Ram @ Bhanu Harijan S/o Rambharos Harijan, Aged About 20 Years R/o Village Jaipur, Police Station Darima, District Sarguja Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Darima, District Sarguja Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Jitendra Shrivastava, Advocate.
For Respondent/State	:	Mr. Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.01.2020**

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. 65/2018 (as per challan) registered at Police Station - Darima, District Sarguja (C.G.) for the offence punishable under Sections 376, 376(2)(a), of IPC and Sections 4, 5(a)/6 of POCSO Act 2012.
2. The prosecution story in brief is that prosecutrix lodged FIR alleging that on 15.06.2018 at about 5.00 PM when she was outside her house, applicant came there, caught hold her and committed sexual intercourse with the prosecutrix. On the basis of that, after investigation, offence has been registered against the applicant and he was arrest on 13.07.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that as per the medical report not a single injury received by the prosecutrix on her body. He next submitted that applicant is jail since 13/07/2019, there is no previous antecedent against him, therefore, the present appellant 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, further considering the detention period of the applicant, 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 his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu