

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 7384 of 2019

- Samiya Marpalli S/o Late Satyam Aged About 27 Years R/o Dudheda Police Station Bijapur District Bijapur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Madded District Bijapur Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Vikash A. Shrivastava, Adv.
For Respondent-State	:-	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

13/01/2020

- 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. 09/2019 registered at Police Station - Madded, District Bijapur (C.G.) for the offence punishable under Sections 376(2)(ढ) & 506(B) of the IPC.
- The prosecution story, in brief, is that prosecutrix has lodged an written complaint to P.S. Madded that applicant allured heer to get married with her and committed several times rape and when she asked

him to marry he refuses and threatened her. Based on this, offence has been registered. The present applicant has been taken into custody.

- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix likes the applicant and ask to get marry with her but when applicant refused the proposal prosecutrix lodged the FIR against the present applicant. He further submits that there is no previous criminal incident against the applicant and considering his detention period, 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.
- On the other hand State counsel strongly opposes the bail application. He submits that applicant threatened the prosecutrix to make illicit intercourse.
- I have heard learned counsel for the parties and perused the entire material available on record.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and period of detention 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.
- 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 said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Ankit