

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7630 of 2019**

- Ayush Pal @ Piyush Pal S/o Premjit Pal Aged About 22 Years R/o Village Kachna, Police Station Vidhan Sabha, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Vidhan Sabha, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Devershi Thakur, Advcoate
For Respondent-State:-		Mr. Vinod Kumar Tekam, 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.391/2018 registered at Police Station – Vidhan Sabha, District Raipur (C.G.) for the offence punishable under Sections 307, 376, 201, 506 of the IPC.
- 2.The prosecution story, in brief, is that the applicant, after calling the prosecutrix to his house, committed

forcible sexual intercourse with prosecutrix and also caused injuries to her. Based on this, offence has been registered. The present applicant has been taken into custody on 27.12.2018.

3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix is a consenting party to the act of the applicant. Next submission is that the present applicant is in jail since 27.12.2018, 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. Learned State counsel submits that the prosecutrix in her Court statement has categorically stated against the applicant which proved his active involvement in the crime in question.
5. Considering the totality of then facts and circumstances of the case, gravity of the offence and further considering the Court statement of the prosecutrix, I am not inclined to release the applicant on bail.
6. Accordingly, present MCRC is rejected.

Sd/-
(Rajani Dubey)
Judge

Ankit