

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7726 of 2019**

- Chandan Poddar, S/o Shri Vinod Poddar, Aged About 26 Years, R/o Sector-23, New Raipur, Atal Nagar, Raipur Tehsil & District Raipur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station New Rajendra Nagar, Raipur District- Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Bhaskar Payashi, Adv.
For Respondent/State	: Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.01.2020**

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. 370/2019 registered at Police Station- New Rajendra Nagar, Raipur District- Raipur, (C.G.) for the offence punishable under Section 376 of IPC.
2. The prosecution story, in brief is that, on the pretext of marriage, the present has committed sexual intercourse with the prosecutrix and after some time refused to marry her. 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 prosecutrix has not supported the prosecution case. The applicant is in jail since 31.10.2019, 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 the applicant is in jail since 31.10.2019 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**