

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7879 of 2019**

- Sheikh Rajjab S/o Ramjan Aged About 25 Years R/ob Sanjay Nagar, Tikrapara, Mandani Chowk, Police Station Tikrapara, Raipur District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station City Kotwali, Raipur District Raipur Chhattisgarh.

---- Respondent

For Applicant.	:	Ms. Indira Tripathi, Advocate.
For Respondent/State	:	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.01.2020**

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. 275/2019 registered at Police Station – City Kotwali Raipur, District Raipur (C.G.) for the offence punishable under Sections 363, 366, 376, 506, 34 of IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012.
2. The allegation against the present applicant is that he has committed sexual intercourse with the prosecutrix against her will. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. She further submits that there was love affair between the applicant and prosecutrix but the family members of the prosecutrix were against this affair so, prosecutrix herself left

her parents and went to the Nagpur where the applicant resides. She next submits that applicant is in jail since 08.07.2019, there is no previous antecedent against him, 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, age of the prosecutrix i.e. above 17 years, as the applicant is in jail since 08.07.2019 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 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