

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7926 of 2019**

- Manish Barle S/o Dilip Barle Aged About 22 Years R/o Village Champa, Police Station And Tahsil Tilda, Nevra, District Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Simga, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Respondent

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For Applicant.	:	Mr. Pallav Mishra, Advocate.
For Respondent/State	:	Mr. Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.01.2020**

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. 370/2019 registered at Police Station - Simga, Civil and Revenue District Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Sections 376, 384, 506, 120B, 34 of IPC.
2. The allegation against the present applicant is that, he has committed sexual intercourse with the prosecutrix against her will, made a video clip and threatened her that he would make this video clip viral. 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. He next submits that prosecutrix is a major lady and no video clip has been seized during investigation. Applicant is in jail since 15.09.2019, and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.
4. Per contra, State counsel strongly opposed 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, and further considering that the applicant is in jail since 15.09.2019 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