

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7887 of 2019**

- Rajendra Prasad S/o Bhagwan Singh Aged About 23 Years Caste Gond, R/o Village Nawapara, Police Station Pasaan, District- Korba, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Pasaan, District- Korba, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Vijay Kumar Sahu, Advocate.
For Respondent/State	:	Mr. B.L. Sahu, 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. 52/2019 registered at Police Station – Pasaan, District Korba (C.G.) for the offence punishable under Section 376 of IPC.
2. The prosecution story in brief is that, the allegation against the present applicant is that he has committed sexual intercourse with the prosecutrix on the pretext of marriage. 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 further submits there was love affair between the applicant and prosecutrix. Applicant is jail since 11.10.2019, 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, further considering the age of the prosecutrix, as the applicant is in jail since 11.10.2019 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 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