

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7888 of 2019**

- Ravishanker Soni S/o Krishna Gopal Soni Aged About 33 Years R/o House No. C/94 , Yadunandan Nagar, Tifra Tahsil And Distt. Bilaspur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station City Kotwali Distt. Bilaspur Chhattisgarh..

---- Respondent

For Applicant	:	Shri Ajay Kumar Dwivedi, Advocate
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****22/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.433/2019, registered at Police Station - City Kotwali, District Bilaspur (C.G.) for the offence punishable under Sections 376 IPC.
2. Allegation against the applicant is that while the prosecutrix was working in his office in the capacity of Sales Manager, he committed forcible sexual intercourse with her on the pretext of marriage and this continued from 2017 to 2019. Based on this, offence has been registered. The present applicant has been taken into custody on 18.11.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecutrix is major aged about 25 years and she is a consenting party to the act of the applicant. He also submits that the applicant is in custody since 18.11.2019, charge sheet has been filed and there is no

likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. Learned State counsel submits that the age of the prosecutrix is 25 years.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence, age of the prosecutrix and further considering the fact that the applicant is in custody since 18.11.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge