

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7934 of 2019**

- Chandrapal @ Golu S/o Shri Babu Lal Manjhi Aged About 22 Years
R/o Village- Padaniya, School Para, Police Station- Kotwali, Korba,
Civil And Revenue District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Korba, Civil
And Revenue District Korba Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. P.M. Shriwas, Advocate.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, 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. 644/2019 registered at Police Station – Kotwali, District Korba (C.G.) for the offence punishable under Sections 376 & 506 of IPC.
2. 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 next submits that applicants and prosecutrix are major person and there was love affair between the parties and, at

the time of making physical relationship, she was a consenting party. Applicant is jail since 03.11.2019, 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. 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 that the applicant is in jail since 03.11.2019 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