

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7986 of 2019**

- Chaitu Kewat S/o Ramsanehi Kewat Aged About 28 Years R/o Village Dongaghat, Police Station Shivrinarayan, District Janjgir-Champa, Chhattisgarh.

**---- Applicant****Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Shivrinarayan, District Janjgir-Champa, Chhattisgarh.

**---- Respondent**


---

|                      |   |                           |
|----------------------|---|---------------------------|
| For Applicant        | : | Mr. Ravindra Sharma, Adv. |
| For Respondent/State | : | Mr. Wasim Miyan, PL.      |

---

**Hon'ble Smt. Justice Rajani Dubey****Order on Board****10/02/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 97/2019 registered at Police Station-Shivrinarayan, District-Janjgir-Champa (C.G.) for the offence punishable under Sections 376 of the IPC and 3(2)(5) of SC & ST (Prevention of Atrocities) Act.
2. The prosecution story, in brief, is that, on 02.04.2019 prosecutrix lodged a written complaint that the applicant proposed her to marriage and on pretext of marriage applicant committed sexual intercourse since August 2018 to March 2019 repeatedly with the prosecutrix resulted which prosecutrix became pregnant and when the prosecutrix requested to the applicant for marriage, the applicant denied marrying with the prosecutrix and used filthy language. Based on this, offence has been registered against the

present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the age of the prosecutrix is about 19 years and the applicant is in jail since 13.09.2019, there is no likelihood of his case being decided in near future, 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, detention period of applicant and further considering the facts that the applicant is in jail since 13.09.2019 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 local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-  
(Rajani Dubey)  
Judge**