

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8410 of 2019**

- Niraj Lakara S/o Alaxander Lakara Aged About 23 Years Caste Uraon, R/o Village Litim, Police Station Aasta, Tahsil Manora, District Jashpur, Chhattisgarh.

---- Applicant**Versus**

- The State Of Chhattisgarh Through Police Station Ashta, District Jashpur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. A. K. Prasad, Adv.
For Respondent/State	:	Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07/02/2020**

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. 11/2019 registered at Police Station-Astha, District - Jashpur (C.G.) for the offence punishable under Sections 506, 366 and 376(2)(b) of the IPC.
2. The brief facts of the prosecution, is that, on 31.08.2019 at about 1:00 pm., when prosecutrix was going her aunt house, at that time applicant offered her for lift, took the prosecutrix on his motorcycle, however, in the mid way applicant stopped the motorcycle, threatened the prosecutrix and has committed sexual intercourse with the prosecutrix against her will. 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 applicant is in jail since 02.09.2019, 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 02.09.2019 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**