

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3904 of 2021

1. Sonsai Minj S/o Tehla Minj Aged About 27 Years R/o Village Gohesalar, Kadamdhodhi, P.S. Kapu, Tahsil Dharamjaigarh District Raigarh Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through Officer In Charge Police Station Kapu, District Raigarh Chhattisgarh.

---- Respondent

For Applicant	Mr. Ashutosh Mishra, Advocate
For Respondent /State	Mr. Chandresh Shrivastava, Dy. Adv. Gen.

*(Proceedings through Video Conferencing)*Order on BoardByPrashant Kumar Mishra, Ag. CJ4/8/2021

1. Heard.
2. The applicant has preferred this bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No.73/2019, registered at Police Station Kapu, District Raigarh (CG), for the offence under Section 376 of the Indian Penal Code.
3. Prosecutrix, aged about 23 years, has previous acquaintance with the applicant. He calls her as his Bhabhi (भाभी). At

about 7.00 pm on 26-8-2019 applicant entered the house of the prosecutrix; placed her on the cot; and committed sexual intercourse. In course of the act her husband arrived and they were caught red-handed. Seeing him, the applicant ran away.

4. Learned counsel for the State, *per contra*, would oppose the bail application.
5. Considering the entire facts situation of the case; as also for the fact that the applicant is in jail since 22-2-2021 and the charge sheet has already been filed, I am of the opinion that present is a fit case to release the applicant on regular bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
7. Certified copy as per rules. Sd/-

Gowri

(Prashant Kumar Mishra)
Acting Chief Justice