

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3040 of 2021**

- Gopal Yadav S/o Late Sobhnath Yadav Aged About 34 Years R/o Paradol, P.S. Jhagrakhand, Tahsil - Manendragarh, District - Koriya, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through: Station House Officer, P.S. - Manendragarh, District - Koriya, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Akhtar Hussain, Adv.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****31/05/2021**

The matter is heard through video conferencing.

Heard.

Admit.

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. 104/2021 registered at Police Station-Manendragarh, District - Koriya (C.G.) for the offence punishable under Section 376 of the IPC.
2. Prosecution case in brief is that, on 19.03.2021 the victim of the case has reported the matter before police station with the alleging that on pretext of marriage the applicant committed rape with her. 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 28 years, charge-sheet has been filed and the applicant is in jail since 23.03.2021, 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 and submits that the applicant did a serious offence; therefore, he may not be released on bail.
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 23.03.2021 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)
Vacation Judge