

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3951 of 2021**

1. Abhishek Yadav, S/o Jalandhar Yadav, aged about 23 years, R/o Village Parevapali, Police Station Devbhog, District Gariyaband (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through the Station House Officer, Police Station Devbhog, District Gariyaband (CG)

---- Non-Applicant

For Applicant : Shri Shivendu Pandya, Advocate.
For Non-Applicant : Shri Chandresh Shrivastava, Deputy AG.

Proceeding Through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag CJ****Order On Board****03/08/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.26/2021 registered in Police Station: Devbhog District Gariyaband for offence under Section 376 and 450 of the IPC.
2. The applicant was earlier working in the grocery shop of the husband of the prosecutrix. At about 7.30 pm on 10.1.2021, husband of the prosecutrix went for stroll after dinner. At about 8 pm the applicant reached the house of the prosecutrix and after making the prosecutrix to lie over the bed, he committed forcible sexual intercourse, during which she allegedly raised alarm and her husband reached the place of

occurrence and on seeing him, the applicant ran away.

3. The FIR was lodged after 18 days i.e. on 28.1.2021. In the FIR the reason for delay in making the report is stated to be because of public humiliation. However, in the statement recorded under Section 164 CrPC, she says that she was not disclosing the incident to anybody, but the applicant himself started claiming in the village that he has ravished the prosecutrix, therefore, after consultation with the elders the FIR has been lodged.
4. Considering the entire fact situation of the case and for the fact that the applicant is in jail since 29.1.2021 and charge sheet has already been filed, I am inclined to release the applicant on bail.
5. Accordingly, the 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 for 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.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice