

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 4217 of 2021

1. Kismat Lal S/o Bachchu Lal, Aged About 22 Years R/o Village Rajouli, Thana And Tahsil Sonhat, District Koriya Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through PS Sonhat, District Koriya Chhattisgarh, District : Koriya, Chhattisgarh

---- Respondent

For Applicant	Mr. Syed Majid Ali, Advocate
For Respondent /State	Mr. Sudeep Agrawal, Dy. Adv. General

(Proceedings through Video Conferencing)Order on BoardByPrashant Kumar Mishra, Ag. CJ12/8/2021

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.45/2021, registered at Police Station Sonhat, District Koriya (CG), for the offence under Sections 450 & 376 of the Indian Penal Code.
3. As per the contents of the written complaint lodged by the prosecutrix, the applicant entered the house of the prosecutrix at about 9.00 pm on 24-3-2021 when she was watching

Television in her room and committed sexual intercourse. According to the prosecutrix, her husband was available in the house in another room. After the applicant threw her on the ground and started committing rape; her husband moved out of his room seeing whom the applicant ran away. The prosecutrix is a married lady, aged about 26 years, having two issues.

4. Learned counsel for the State, *per contra*, would oppose the bail application.
5. Considering the entire facts situation of the case; further considering the contents of the FIR; as also for the fact that the applicant is in jail since 26-3-2021 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/-

(Prashant Kumar Mishra)
Acting Chief Justice

Gowri