

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6768 of 2020

- Venudhar Yadav S/o Shri Purno Yadav Aged About 20 Years Caste Mahkul, R/o Village Parmer, P. S. Kapu, Tahsil Dharamjaigarh, And District Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Of The Police Station Kapu, District Raigarh Chhattisgarh

---- Respondent

For Applicant	:	Mr. Abhishek Saraf, Advocate
For State	:	Mrs. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.01.2021

1. Heard
2. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of bail as he is arrested on 05.09.2020 in connection with Crime No. 54/2020, registered in Police Station Kapu Distt. Raigarh (C.G.) for offence punishable under sections 376, 457 and 506 of the IPC.
3. As per the prosecution case, on 01.11.2019 the applicant forcefully entered into the house of the prosecutrix and thereafter committed sexual intercourse with her against her will.
4. Learned counsel for the applicant submits that the prosecutrix is a married lady of aged about 35 years. She was a consenting party and

when the incident was made known to the public, the false allegations have been attributed against the applicant, therefore he may be released on bail.

5. Learned State counsel opposes the submission made by learned counsel for the applicant.

6. After perusing the statement of the prosecutrix and also considering the fact that the chargesheet has been filed, I am inclined to release the applicant on bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

7. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE