

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6991 of 2021**

1. Omkar Suryavanshi, S/o Shri Agahan Suryavanshi, aged about 39 years, R/o Village Durra, Post Patewa, Tahsil and Police Station Ghumka, District Rajnandgaon (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Ghumka, District- Rajnandgaon (CG)

---- Non-Applicant

For Applicant : Shri Aditya Bhardwaj, Advocate.
For Non-Applicant : Shri Arjit Tiwari, Panel Lawyer.

Hon'ble Shri Prashant Kumar Mishra, Ag CJ**Order On Board****04/10/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.114/2020 registered in Police Station Ghumka, District Rajnandgaon for offence under Section 376 of the IPC.
2. This is the 3rd bail application on behalf of the applicant. The first bail application was dismissed as withdrawn with liberty to revive after examination of the prosecutrix and the second bail application was dismissed for want of prosecution.
3. The applicant has committed forcible sexual intercourse with the prosecutrix aged about 26 years.
4. As per the prosecution case, when the applicant and the prosecutrix were in the midst of the act of sexual intercourse, her brother-in-law Chandramani reached the place of occurrence and on seeing them in a

compromising position, he separated them.

5. Considering the entire fact situation of the case and the fact that the prosecutrix and other material witnesses have already been examined and the applicant is in jail since 1.6.2020 i.e. for more than 1 year and 4 months, I am inclined to release the applicant on bail.
6. 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

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