

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7643 of 2020**

- Sonu Sakat @ Tridev Sakat S/o Krishna Sakat Aged About 20 Years R/o Village- Under Of Overbridge, Uslapur, Police Station- Sakri, District- Bilaspur, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Sakri, District- Bilaspur, Chhattisgarh

---- Respondent

For Applicant	Mr. CK Kesharwani and Mr. Tarun Dadsena, Advocates
For Respondent /State	Mr. Ravish Verma, Government Advocate

SB: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****8/1/2021**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.224/2019 registered at Police Station Sakri, District Bilaspur (CG) for the offence punishable under Sections 376 & 506 B of the IPC.
3. The applicant, aged about 20 years, and the prosecutrix, a married lady having three children, aged about 26 years, are

neighbours residing in front of each others house. The applicant being an Electrician was called in the house of the prosecutrix to perform some repairing work. Finding the prosecutrix alone in the house, he committed forcible sexual intercourse on 9.5.2019 and thereafter, regularly, which continued till 15.7.2019, where-after, the prosecutrix informed her husband and lodged FIR.

4. Considering that the prosecutrix is a married lady, aged about 26 years and the applicant is her neighbour, the element of consent cannot be ruled out. Therefore, looking to the delay in lodging the FIR, I am inclined to release the applicant on regular bail.
5. Accordingly, the bail application is allowed and the applicant is are directed to be released on bail on his furnishing 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.

6. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge