

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7315 of 2021**

- Alok Lakda S/o Paskal Lakda Aged About 31 Years Caste Uraon, Occupation Army Man, R/o Village Bangaon K. Post Farsatoli, Tahsil Patthalgaon, District Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through : Station House Officer, Police Outpost Dokra, Police Station Kansabel, District Jashpur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Arun Kumar Shukla, Adv.
For Respondent/State	:	Mr. Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27/10/2021**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 29/2021 registered at Police Outpost-Dokra, Police Station-Kansabel, District - Jashpur (C.G.) for the offence punishable under Section 376 of the IPC.
2. The prosecution story, in brief is that, complainant /prosecutrix lodged a report alleging that on pretext of marriage the applicant committed sexual assault with her. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is a Government employee and he had neither made any physical relation with the prosecutrix nor assured her about the

marriage. The applicant is in jail since 09.08.2021, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the applicant committed a serious offence; therefore, he may not be released on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant that he is in jail since 09.08.2021 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**