

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7751 of 2020**

- Aslam Faizi @ Suhel Raza S/o Akbar Ussain Ansari Aged About 28 Years R/o Village Chhanana Dafai, Haldibadi, Chirmiri Koriya, District Koriya (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station - Pendra, District - Gaurela-Pendra-Marwahi (Chhattisgarh)

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate
For Respondent-State	:	Rajendra Tripathi, PL

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**21/01/2021**

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.143/2019, registered at Police Station Pendra, District- Gaurela-Pendra- Marwahi, C.G. for the offence punishable under Section 376 of the I.P.C.
2. Case of the prosecution, in brief, is that prosecutrix, aged about 34 years approached the applicant for some quackery services. On 28.03.2019, the prosecutrix reached the house of the applicant, there she was administered some powder like substance, whereafter, she felt dizzy and taking benefit

of her dizziness, applicant undressed her and committed forcible sexual intercourse. Later on, when she threatened to divulge the incident to others, applicant stated that he has video-graphed the whole incident and the same will be circulated.

3. The FIR has been lodged after about 2 months of the incident i.e., on 26.05.2019. The Police has not recovered such video graph alleged to be made by the applicant.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the delay in lodging the FIR; also for the fact that the applicant is in jail since last about 11 months i.e., from 24.02.2020 and the charge sheet has already been filed, 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 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)
Judge

Ayushi