

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8153 of 2020**

- Hashim Khan S/o Shri Akram Khan Sohitram Aged About 23 Years R/o Ward No. 11, Rehmaniya Nagar, Katghora, P.S. And Tehsil Katghora, District Korba Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station, Katghora, District Korba Chhattisgarh

---- Respondent

For Applicant :- Mr. Sumit Singh, Advocate
For Respondent-State :- Mr. Devendra Pratap Singh, Dy.A.G

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

17/02/2021

1. Heard.
2. 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.239/2020, registered at Police Station Katghora, District Korba C.G. for the offence punishable under Section 376, 506, 376 B of the I.P.C.
3. As per the prosecution case, prosecutrix aged about 20 years was married with the applicant on 03.12.2019, however, the applicant divorced the prosecutrix soon after

the marriage. As per the FIR (First Information Report) and statement under Section 161 Cr.P.C., the applicant committed forcible sexual intercourse with the prosecutrix when she was in her sister's house at about 9.30pm on 22.06.2020. She further states that when applicant reached the house, her sister was also present in a different room and the applicant stayed overnight with her. The FIR was lodged on 26.08.2020 i.e., after more than two months.

4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the entire fact situation of the case and, particularly for the fact that the applicant is in jail since 08.10.2020; 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 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.

Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge

Ayushi