

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7800 of 2021**

1. Bhupendra Prajapati, S/o late Shri Harishchandra Prajapai, aged about 26 years, R/o Village Malda, Thana & Tahsil Kasdol, District Baloudabazar-Bhatapara

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kasdol, District Baloudabazar-Bhatapara (CG)

---- Non-Applicant

For Applicant	: Shri Sunil Sahu, Advocate.
For Non-Applicant	: Smt. Seema Dixit, Panel Lawyer.

Hon'ble Shri Deepak Kumar Tiwari, J**Order On Board****25/10/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.163/2021 registered in Police Station Kasdol, District Baloudabazar-Bhatapara for offence under Section 376, 506, 384 of the IPC.
2. Case of the prosecution, in brief, is that the complainant/victim, aged about 24 years, has lodged a written report at Police Station Kasdol against the applicant on 25th May, 2021 stating that on 19th April, 2021 when she was alone sleeping on the roof, the applicant committed sexual intercourse with her and threatened her not to disclose the incident to anyone and also demanded Rs.20,000/-. In the FIR, it was also mentioned that on 28th April, 2021, the applicant again repeated the

offence of sexual intercourse with her. Due to fear, she could not inform to her parents. On such allegations, the crime was registered and the applicant was arrested on 12th June, 2021.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated. The prosecutrix herself called the applicant on the roof of the house and on number of occasions physical relations were developed with her with her consent, but when the said relations came to the knowledge of the parents and neighbours, a false story has been made. The FIR has been lodged with inordinate delay. Therefore, the applicant may be released on bail.
4. On the other hand, learned State Counsel opposes the bail application.
5. Considering the facts and circumstances of the case, particularly the fact that the prosecutrix herself denied the fact that the incident took place on 28th April, 2021 and deposed in her statement recorded under Section 164 CrPC that no such incident has taken place, however, the police has erroneously mentioned it, and that the charge sheet has already been filed, as also the nature of evidence, this Court finds the present to be a fit case to grant bail to the applicant.
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.10,000/- 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/-
(Deepak Kumar Tiwari)
Judge