

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8476 of 2020**

- Raju Tiwari @ Raju Lahre S/o Shri Ram Prasad @ Pilaram Aged About 40 Years R/o Sagonadih Police Station Pandariya District Kabirdham Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through SHO Civil Line, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Dheerendra Pandey, Advocate.
For Respondent/State	:	Mr. Samir Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.03.2021**

The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 612/2020 registered at Police Station – Civil Line, District Bilaspur (C.G.) for the offence punishable under Section 376 of the IPC.

As per the prosecution case, the allegation against the present applicant, maternal uncle of the prosecutrix, is that he has committed the offence of forcible sexual intercourse with the prosecutrix after intoxicating her.

Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further contended that the prosecutrix is a married lady aged about 26 years and she herself left parental house and started living together, therefore, no

case made out against the applicant. He next submits that applicant is in jail since 26.10.2020 and he ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

Per contra, learned counsel appearing on behalf of the State opposes the bail application.

I have heard learned Counsel for the parties.

Considering the facts and circumstances of the case, the detention period of the applicant, and further considering that as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.

Accordingly, the bail application is allowed.

It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

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