

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.8861 of 2021**

Sanjeet Lakda S/o. Sannis Menjas Lakda, aged about 29 years, R/o.-
Village Lawakera, Police Station-Tapkara, and District Jashpur (CG)

---Applicant**Versus**

State of Chhattisgarh Through S.H.O. of the Police Station – City Kotwali,
Tahsil and District – Raigarh (CG)

---Non-Applicant

For Applicant	:	Mr.Abhishek Saraf, Advocate
For Non-Applicant/State	:	Mr.Suyash Dhar, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/12/2021**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.1391/2021, registered at Police Station-City Kotwali, District-Raigarh (CG), for the offence punishable under Section 376 of the IPC.

2. Case of the prosecution, in brief, is that the applicant has committed sexual intercourse with major prosecutrix on the pretext of marriage and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant in jail since 02.10.2021, the prosecutrix is major lady and there is delay of more than three years in lodging the FIR, as such, the applicant may be

released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, extent of delay in lodging the FIR, pre-trial detention of the applicant from 02.10.2021 and the fact that the prosecutrix is major lady, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-