

M.Cr.C. No. 7620/2014

30/06/2014

Shri Ajay Mishra, Advocate for the applicant.

Shri V.K. Pandey, PL for the respondent/State.

Heard finally.

This is the first application filed by applicant under Section 439 of the Cr.P.C for grant of bail.

Applicant has been arrested on 14/04/2014 in connection with Crime No. 257/2014 registered at P.S. City Kotwali Chhindwara, District Chhindwara for the offence punishable under sections 376 (1), 506 of IPC.

Learned counsel for the applicant submits that applicant has been falsely implicated in the case. It is a case of belated FIR. As per prosecution the offence was committed on 13/09/12 and report was lodged on 13/04/2014. It is further submitted that prosecutrix was consenting party to the alleged sexual intercourse and after two years she has lodged a false and concocted report against the applicant. Trial would take considerable time to be disposed of finally therefore, he prays for grant of bail to the applicant.

Learned counsel for the State opposes the application.

On due consideration of the facts and contention raised on behalf of the parties, I am of the considered view that it is a fit case to release the applicant on bail. Therefore, without commenting on the merits of the case, this application is allowed and it is directed that

applicant shall be released on bail on his furnishing a personal bond in a sum of **Rs. 35,000/- (Rupees Thirty Five Thousand only)** with one surety in the like amount to the satisfaction of committal Court/trial Court for securing his presence before the said Court on all the dates of hearing fixed in this regard during trial.

Certified copy as per rules.

**(G.S. Solanki)
Judge**

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