

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6526 of 2015

Suresh Manjhi, son of Shri Narayan Manjhi, aged about 28 years, resident of village Kochedega, P.S. Himgir, Distt. Sundargarh (Odisha) at present village Chakardharpur, P.S. Chakardhar Nagar, Raigarh, Tahsil & Distt. Raigarh, Civil & Revenue Distt. Raigarh ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Chakardhar Nagar, Distt. Raigarh ... **Respondent**

For the applicant	:	Mr. Manoj Kumar Sinha, Advocate.
For the Respondent	:	Mr. Vivek Singha, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 254/2015 registered at Police station Chakardhar Nagar, Distt. Raigarh for the offences punishable under Section 376 of IPC.
2. As per the prosecution case, on 11.8.2015 the prosecutrix lodged a report that the applicant was her neighbour and was living as tenant and he committed sexual intercourse on the pretext of marriage and thereafter, a child was born and subsequently the applicant is denying to marry the prosecutrix, thereby, the offence is committed.
3. Learned counsel for the applicant submits that he has been falsely implicated and he submits that the applicant is still ready and willing to marry the prosecutrix and before the Panchayat, the applicant has admitted to marry the prosecutrix, therefore, it would go to show that the applicant has not committed any offence. He prays that the applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. I have perused the document and charge sheet which contains the

Panchayat Nama wherein it has been stated that the applicant is ready and willing to keep the prosecutrix with him and it has been categorically stated before this Court that the applicant is ready and willing to keep the prosecutrix as his wife.

6. Taking into the submission of learned counsel for the applicant and the way the offence committed and further taking into fact that the charge sheet has been filed in this case and the applicant is in jail since 12.08.2015, without any observation on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
8. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**