

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3902 of 2016

Pradeep Maravi, S/o. Shivkumar Maravi, Aged About 22 Years, R/o. Marma, P.S. Trikunda, District Balrampur Ramanujganj, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- Ramanujganj, District Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant : Mr. A.K.Yadav, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.19/2016 registered at Police Station- Ramanujganj, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 376(2)(n) of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made on 25.02.2016 that on 23.08.2015 the applicant in order to give a lift to the prosecutrix took her to the forest and thereafter committed sexual intercourse and subsequently, he also on the pretext of marriage committed sexual intercourse and thereafter refused to marry the girl.
3. Learned counsel for the applicant would submit that the girl is 21 years of age and reading of the statement recorded under Section 161 of Cr.P.C. would show that the applicant was used to stay in

the room alongwith the prosecutrix which was rented by the prosecutrix and she developed sexual relation there also and the report is grossly delayed, therefore, the applicant may be released on bail, as he has been falsely implicated.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. The FIR was made on 25.02.2016 for the offence of 23.08.2015. Further, reading the statement of the prosecutrix, without any further observation on merit, considering the facts and circumstances of the case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.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/-
(Goutam Bhaduri)
Judge