

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4665 of 2016**

Anil Ekka S/o Ramlal Ekka, Aged About 20 Years, Caste Urraon,
R/o Village Losanga, P.S. & Tahsil Lakhanpur, District Surguja,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Gandhinagar, District
Surguja, Chhattisgarh.

---- Respondent

For applicant - Shri A.K. Yadav, Advocate.
For Respondent/State – Shri Neeraj Sharma, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****19/08/2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.95/2016 registered in Police Station Gandhinagar, District Surguja (C.G.) for offence punishable under section 376 of Indian Penal Code.
2. As per the prosecution case, the prosecutrix while was staying alongwith the applicant in a room, the applicant committed sexual intercourse on 18/04/2016. Subsequently, report was made on 20/04/2016. Thereby, offence is committed.
3. Learned counsel for the applicant submits that according to the statement of the prosecutrix she is a major girl, she was staying alongwith the applicant in a room and when marriage of the applicant was fixed, false allegations have been attributed against the applicant. He further submits that medical report also do not support commission of the offence, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix under Section 161 and

164 of Cr.P.C. Considering the same, without further observation on the merits, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE