

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2430 of 2016

Lokesh Kumar Kureti, S/o. Late Shri Karan Singh Kureti, Caste-Gond, aged about 25 years, R/o. Village-Paddetola, P.S. Daundi, Distt. - Balod (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through: Police Station – Daundi, District – Balod (C.G.)

---- Respondent

For Applicant : Mr. Vipin Tiwari, Advocate

For Respondent/State : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/05/2016

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.217/2015 registered at Police Station- Daundi, District – Balod (C.G.) for the offence punishable under Section 366A, 376, 506 of Indian Penal Code.
2. As per the prosecution case, the applicant allegedly committed sexual intercourse with the prosecutrix on promise to marry for the first time in October, 2012 and thereafter continued the offence till 09.12.2015 and the FIR has been lodged when the applicant denied to marry the prosecutrix.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 11.12.2015, therefore, he may be enlarged on bail.
4. Learned State counsel would oppose the prayer for grant of bail.

5. The prosecutrix is 21 years of age and the offence continued for more than 3 years. The applicant is in jail since 11.12.2015 and charge sheet has been filed. Considering the entire facts situation of this case, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.
8. Certified copy as per rules.

Sd/-
(Prashant Kumar Mishra)
Vacation Judge