

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2739 of 2016

Dilip Chouhan Alias Bau, S/o Luturam Aged About 21 Years R/o
Q.No. 310, Ward No. 20, Nawdha Chowk, Ramnagar S. E. C. L.
Korba Chowki, Manikpur P.S. Kotwali, Korba, Tahsil & District -
Korba Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, P.S. Kotwali
Korba, District Korba Chhattisgarh

---- Respondent

For applicant - Shri Sandeep Dubey, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/06/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 84/2016 registered in Police Station Police Sahayta Kendra, Manikpur, Kotwali, Korba, District Korba (C.G.) for offence punishable under section 450, 376 of IPC.
2. As per the prosecution case on 4/02/2016 the applicant entered into the house of the prosecutrix and thereafter when she opened the door, the applicant committed sexual intercourse with the prosecutrix.
3. Learned counsel for the applicant submits that the incident was stated to be of 4/02/2016 and the report was made on 16/02/2016 and no plausible explanation has been given. He submits that the prosecutrix is aged about 31 years and it was a case of consent, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. I have perused the statement of the prosecutrix under section 161 and 164 of Cr.P.C. and also perused the map of the place of incident. After

going through the statement, without any 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.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE