

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2754 of 2016

Seepi Singh S/o Gautu Aged About 22 Years R/o Village Potka, P.S.
Udaipur, Distt. Sarguja Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Udaipur, Distt. Sarguja Chhattisgarh

---- Respondent

For applicant - Shri Jitendra Shrivastava, Advocate.
For Respondent/State – Shri Lav Sharma, 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. 36/2016 registered in Police Station Udaipur, Sarguja for offence punishable under section 342 & 376 of IPC.
2. As per the prosecution case on 22/04/2016 the prosecutrix while she went to wash utensils behind the house, the applicant caught hold of her and committed sexual intercourse. Thereby, the offence is committed.
3. Learned counsel for the applicant submits that the prosecutrix is a major lady of 26 years and she was consenting party, the way the offence is said to have been committed it do not make out a case, 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. It is stated that she was taken to the house of the applicant and thereafter forceful sexual intercourse has been committed. Considering the facts, without any observation on merit, 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