

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3692 of 2016

Raj Lal Sahu S/o Shri Jagannath Sahu Aged About 35 Years R/o Village Sagarpur, P.S. & Tahsil - Baikunthpur, District Korla, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Podi, District Korla, Chhattisgarh.

---- Respondent

For applicant - Shri Sandeep Yadav, Advocate.
For Respondent/State – Shri Lav Sharma, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.52/2016 registered in Police Station Podi, District Korla (C.G.) for offence punishable under sections 376 (k) (L), 493, 506 & 294 of Indian Penal Code.
2. As per the prosecution case on 8/04/2016 a report was made that the applicant from 2009 on the pretext of marriage has developed the physical relation and exploited the prosecutrix and thereafter prepared agreement in the court and described prosecutrix as his wife and kept her in the rented house and in the meanwhile used to have physical relation with her. Subsequently, when the prosecutrix pressed him to take her to the home at that time the applicant refused and a report was made.
3. Learned counsel for the applicant submits that the applicant has performed marriage with the prosecutrix once in the court and other time in the temple and some matrimonial dispute arose, therefore such report is made, no offence is made out, 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. Taking into fact the submission made by learned counsel for the applicant that marriage were performed with the prosecutrix and thereafter considering the statement of the prosecutrix and also considering the delay in lodging report, 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