

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5610 of 2016

- Raituraman Singh S/o Late Kamlochan Thakur Aged About 30 Years
R/o Village Rajeev Gandhi Ward Bodhghat Opposite Vidyoday School
Jagdalpur P.S. Bodhghat Revenue And Civil District Bastar
Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh Through The Police Station Adim Jati Kalyan
Thana, District Bastar Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Pravin Tulsyan, Advocate
For the Respondent	:	Mrs. Shobha Kashyap, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 03 of 2015 registered at P.S. Adim Jati Kalyan Thana District Bastar (C.G) for the offence punishable under Sections 493, 376, 294, 506, 313 of IPC and Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. As per the prosecution case, a report was made by the prosecutrix on 20.05.2015 that prior to 4 years of the incident, the applicant on the pretext of marriage committed sexual intercourse whereby she became pregnant and she was further subjected to abortion. Thereafter when she was discharged from hospital the applicant refused to marry on the ground that she belonged to lower caste.
3. Learned counsel for the applicant would submit that the prosecutrix is 26 years old lady and there was long delay of 5 years in lodging the FIR. He further submits that the

applicant has been falsely implicated and he is in jail since 20.06.2016, therefore he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of victim who is stated to be aged about 26 years. The incident is said to have taken place in the year 2011 and the report was made in the year 2015.
6. Considering the age of prosecutrix and the delay in lodging the FIR and further considering the totality of the facts and circumstances, without any further observation on merits of the case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**