

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7168 of 2016**

Premranjan Shrivastav, S/o. Dharamshankar Lal Shrivastav, Aged About 45 Years, R/o. Village Madanpur, Tahsil & Police Station - Kharsiya, District – Raigarh, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through S.H.O. - AJAK, District – Raigarh, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Hemant Gupta, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**06/12/2016**

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.17/2016 registered at Police Station- AJAK, Raigarh (C.G.) for the offence punishable under Section 376 of Indian Penal Code and Section 3 (1) B (2), 3 (2) (5) of Schedule Caste & Schedule Tribe (Prevention of Atrocities) Act.
2. Case of the prosecution, in brief, a report was made by the prosecutrix on 14.07.2016 that from March, 2016 when she came in contact with the present applicant, as the prosecutrix was trainee and the applicant was trainer in ICICI Prudential Company while in discharge of the job, the applicant forcefully committed sexual intercourse in the Hotel after consuming Beer and thereafter he committed sexual intercourse on the pretext that she

is the wife as he placed vermilion on her forehead and therefore she was sexually exploited.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated as the victim is a major lady and she was a consenting party, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement under Section 161 & 164 of Cr.P.C. Considering such statement, without any observation on merit, I am 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.

Sd/-  
**(Goutam Bhaduri)**  
Judge