

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3367 of 2017

- Devkun Korwa S/o Birbal Korwa Aged About 23 Years R/o Girwarganj Police Station - Balrampur, District- Balrampur Ramanujganj,, Chhattisgarh. **--- Appellant**

Versus

- State of Chhattisgarh through the Police Station Balrampur, District- Balrampur, Ramanujganj, Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. A. N. Pandey, Advocate.
For the State	:	Mr. Vivek Sharma, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.06.2017

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.43/2017 registered at P.S. Balrampur, Distt. Balrampur-Ramanujganj (C.G) for the offence punishable under Sections 376(2-N) of IPC.
2. As per the prosecution case, a report was made by the prosecutrix on 10.03.2017 that in between 01.09.2013 and the date of report i.e., 10.03.2017 the applicant on the pretext of marriage has committed sexual intercourse with the victim and thereafter he refused to marry her, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the prosecutrix was a major lady, she stayed with the applicant for a considerable point of time and therefore, the applicant has not committed any offence. He further submits that the charge sheet has been filed and the applicant is in jail since 11.03.2017, therefore, he may be enlarged on bail.

4. On the other hand, learned State Counsel opposes the prayer.
5. Perused the statement of victim. The incident is said to have been taken place in the year 2013 and the report was made on 10.03.2017. The prosecutrix appears to be major lady. Considering such facts situation of the case as also the fact that the charge sheet has been filed and the applicant is in jail since 11.03.2017, I am inclined to allow this bail application.
6. 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 trial Court for his appearance.

Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**