

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 265 of 2017

Naved Khan S/o Jamshed Kuraishi Aged About 22 Years Residing
At Near Bharat Tractors Azad Chowk, Rout Para, Jagdalpur, Police
Station Kotwali, Revenue & Civil District Bastar, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Parpa, District
Bastar, Chhattisgarh.

---- Respondent

For applicant - Shri P.K. Tulsiyan, Advocate.

For Respondent/State – Shri Avinash K. Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

30/01/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.101/2016 registered in Police Station Parpa, District Bastar (C.G.) for offence punishable under section 376 of IPC.
2. As per the prosecution case, a report was made by the prosecutrix on 1/07/2016 that the applicant on the pretext of marriage has committed forcible sexual intercourse against her wish. Thereby, offence has been committed.
3. Learned counsel for the applicant submits that the prosecutrix has been examined in this case and she has not supported the case of the prosecution, therefore no offence is committed and the applicant may be enlarged on bail.
4. Learned State counsel is not able to dispute the fact that the prosecutrix has not supported the case of the prosecution.
5. Taking into such fact, without further observation on the merits,

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.

Sd/-

(Goutam Bhaduri)

JUDGE