

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 702 of 2017

Rohit Kumbhkar S/o Manoj Kumbhkar, Aged About 23 Years R/o
Bramhanpara, Dhamtari, Post Office Dhamtari, Police Station City
Kotwali, Dhamtari, Tahsil & District Dhamtari Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station City Kotwali Dhamtari District Dhamtari Chhattisgarh

---- Respondent

For applicant - Shri Shivendu Pandya, Advocate.
For Respondent/State –Shri U.K.S. Chandel, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/02/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.506/2016 registered in Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.) for offence punishable under sections 376 & 506 of Indian Penal Code.
2. As per the prosecution case, a report was made by the prosecutrix on 24/12/2016 that on 23/02/2015 the applicant on the pretext of marriage took the prosecutrix to a hall wherein construction was being carried out. Thereafter committed sexual intercourse.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, the prosecutrix was aged about 26 years and there is no plausible explanation for the delay and she was a consenting party, 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 under Section 161 of Cr.P.C. Taking into such statement, 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