

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4020 of 2017

- Shatruhan Yadav S/o Shyam Lal Yadav, Aged About 23 Years, R/o Teli Dhivarpara, Seepat, P. S. Seepat, Tah. Masturi, Distt. Bilaspur (Chhattisgarh)

---- **Petitioner**

Versus

- State Of Chhattisgarh Through : P. S. Seepat, Distt. - Bilaspur, (Chhattisgarh)

---- **Respondent**

For Applicant	Shri R. K. Gupta, Advocate
For Respondent-State	Shri Sameer Behar, PL

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

22/11/2017

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.60/2017, registered at Police Station Seepat, District Bilaspur for the offence punishable under Section 376 of IPC.
2. It is alleged that the applicant and the prosecutrix had affair about one year prior to the date of FIR. On 26.03.2017, the prosecutrix came to the house of the applicant, however, she was dragged out of the house by the applicant's parents and sister. Subsequently, a meeting was convened wherein the prosecutrix was tried to be persuaded to stop interacting with the applicant. She also alleges that the applicant had sexual intercourse on

promise to marry and on one occasion, she was made to abort the foetus, which she was carrying from the applicant.

3. Learned State counsel would oppose the prayer for grant of bail.
4. It appears, the prosecutrix is more than 18 years of age and for sufficient length of time, she was consenting to the relationship, however, when the applicant's father and sister dragged her out of the house, a dispute arose between them, which led to the applicant's refusal to marry the prosecutrix.
5. Considering the entire facts situation of the case and without commenting on the merits, the present is considered to be a fit case for release of the applicant on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Judge

Prashant Kumar Mishra

Nirala