

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5280 of 2017**

- Loknath Baghel S/o Late Damarudhar Baghel, Aged About 27 Years R/o Village Baniyagaon Bramhanpara Police Station Bhanpuri Tahsil Bastar District Bastar, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Police Station Bhanpuri, District Bastar, Chhattisgarh.

---- Respondent

For Applicant	Mr. PK Tulsyan, Advocate
For Respondent/State	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**23/11/2017**

1. Heard.
2. This is an 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.61/2017, registered at Police Station Bhanpuri, District Bastar (CG) for the offence punishable under Sections 376, 493 and 506 of IPC.
3. From the statements of the prosecutrix recorded under Section 164 of Cr.P.C., it appears, the applicant and the prosecutrix got acquainted with each other during a journey by bus, which led to first sexual relation six years prior to the date of lodging of the

FIR. At that point of time, the applicant promised to marry the prosecutrix, whereupon, she stated that they belong to different castes, therefore, marriage may not be possible. Thus, from the very beginning, the prosecutrix was also aware that their marriage would be difficult but yet she continued the relationship. During these six years, they had several sexual escapades and hence, the question as to whether the relationship was not consensual is debatable.

4. Learned counsel for the State would oppose the bail application.
5. In the facts and circumstances of the case, this Court is inclined to release the applicant on regular bail.
6. 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.

7. Certified copy as per rules.

Sd/-

Judge

(Prashant Kumar Mishra)