

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5911 of 2017**

- Suresh Sahu S/o Late Shri Kulomani Sahu, Aged About 32 Years Caste Teli, R/o Koyla, Factory Gali, Pathalgaon, P. S. Pathalgaon, District Jashpur Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Station House Officer Police Station Pathalgaon, District Jashpur Chhattisgarh.

---- Respondent

For Petitioner
For Respondents

Shri Awadh Tripathi, Advocate.
Ms K. Tripti Rao, P.L.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****30/11/2017**

1. The applicant has preferred this bail application under Section 439 Cr.P.C, as he has been arrested in connection with Crime No. 160/2017, registered at Police Station Pathalgaon, District Jashpur (C.G.) for the offence punishable under Section 376 & 494 of IPC.
2. Prosecutrix, aged about 29 years, married with the applicant at the Arya Samaj Temple, Baijnathpara and thereafter they started residing together. On some dispute, they separated and the prosecutrix lodged a report of commission of rape alleging that sometime after the marriage, the applicant has disowned her.

3. Considering the fact that after the so called marriage at Arya Samaj Temple, Baijnathpara, the prosecutrix, a major girl, resided with the applicant at her own will, this Court is inclined to release the applicant on bail.
4. Considering the facts and circumstances of the case, particularly considering the material available in the case diary and looking to the fact that the applicant is in detention since 26-8-2017, this Court is inclined to release the applicant on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety each 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

Akhilesh