

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6475 of 2017

- Ashraf Khan, S/o Ayub Khan, aged about 24 years, R/o Kandri, Idpara, P.S. Chando, District Balrampur-Ramanujganj (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Chando, District Balrampur - Ramanujganj, Chhattisgarh

---- Non-Applicant

For Applicant : Shri A.K. Yadav, Advocate.
For Non-Applicant : Shri Adhiraj Surana, Deputy GA.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

29/11/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.22/2017, registered at Police Station : Chando, District Balrampur-Ramanujganj for offence under Sections 376 and 506 of the IPC.
2. Although there is delay of about one month in lodging FIR alleging that the applicant has committed forcible sexual intercourse with the prosecutrix aged about 22 years, however, on the date of offence there was no promise to marry. Delay has been explained by the prosecutrix. Whether or not the same would find favour with the trial Court is not to be commented at this stage. In the absence of any fact indicating prior affair between the applicant and the prosecutrix and the sexual intercourse having committed on single occasion without promise to marry, this Court is not inclined to release the applicant on bail at this stage. Accordingly, the application is rejected reserving liberty in favour of the applicant to revive his prayer after examination of the prosecutrix.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve