

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 587 of 2018**

- Mumtaj Ansari S/o Rasid Ansari Aged About 25 Years R/o Rewatipur, P.S. Ramchandrapur District Balrampur Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer Police Station Ramchandrapur District Balrampur Chhattisgarh,

---- Respondent

For Applicant	:	Ms. Hamida Siddiqui, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/04/2018**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 18.10.2017 in connection with Crime No. 24/2017 registered at Police Station Ramchandrapur, District Balrampur (CG) for the offence punishable under Sections 506, 342, 450, 376 (F) of the I.P.C.
2. As per the prosecution case, a report was lodged by the victim that the applicant has committed forceful sexual intercourse with the prosecutrix by extending threat of life. As such the offence has been committed.
3. Learned counsel for the applicant submits that the prosecutrix has been examined before the Court below and she has completely disowned the happening of the incident and she has submitted that the dispute took place

on the issue of picking mahua, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim, who is examined as PW-1. After perusal of the statement without any observation on merit, I am inclined to release the applicant on bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum 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/-

Goutam Bhaduri
Judge

Ashu