

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 13 of 2018**

Praveen Kumar Sahu, S/o. Shri Krishna Kumar Sahu, Aged About 25 Years,
R/o. Village Singdai, Thana -Basantpur, Tahsil District- Rajnandgaon
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through: Thana -Basantpur, District -Rajnandgaon
Chhattisgarh.

---- Respondent

For Applicant	: Mr. Samir Singh, Advocate
For Respondent/State	: Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****08/03/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.368/2017, registered at Police Station –Basantpur, District – Rajnandgaon (C.G.) for the offence punishable under Section 376, 417 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. According to the prosecution story, no case is made out against the applicant and it is clear from the statement of the prosecutrix herself that she had been a consenting party to the entire incident, applicant is in jail since 14.11.2017, charge-sheet has been filed against him after completion of investigation and the applicant is ready to abide by all the conditions, which may be imposed while enlarging him on bail, therefore, he may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the case of the prosecution, the prosecutrix and this applicant had affair between the year 2009 to 2013. Prosecutrix got married to some other person in the year 2013, but this applicant met with her husband and informed him about his relationship with the prosecutrix because of which, her marriage was broken and she started residing in her parental home, applicant again renewed his relationship with the prosecutrix but he ultimately refused to marry her because of which, the FIR has been lodged.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge