

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 865 of 2018

- Pramod Kumar Patle S/o Late Sukul Patle, Aged About 21 Years, R/o Village Juhli, Baniyadih, P.S. Seepat, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Rakesh Kumar Thakur, Advocate.

For Non-applicant/State – Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 06-12-2017 in connection with Crime No.281/2017 registered at P.S. Seepat, District Bilaspur, Chhattisgarh for the offence under Section 376 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 06-12-2017. According to the prosecution case itself, it is revealed that the applicant and the prosecutrix had love affair and relationship, because of some dispute between them a false FIR has been lodged against this applicant. The applicant is ready to abide by all the conditions to be imposed on grant of bail. Hence, it is prayed that he may be released on bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, the applicant and the prosecutrix had love affair and they lived in relationship from 18-06-2016 till 24-08-2017, during

which, this applicant exploited the prosecutrix sexually on a number of occasions on the pretext of marrying her. Later on, when the applicant refused to marry the prosecutrix, she lodged the FIR on 05-12-2017. Hence, this case.

6. Considering on the entire material present in the case diary and looking to the nature of allegation and the story of previous affair between the applicant and the prosecutrix, I feel inclined to grant bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge