

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1609 of 2018

Virendra Singh S/o Rana Pratap Singh, aged about 21 years, R/o Village- Amra,
Police Station- Sonhat, District- Korea (C.G.).

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station- Sonhat,
District- Korea (C.G.).

---- Respondent

For Applicant	:	Mr. Mahendra K. Sahu, Advocate
For Respondent	:	Mr. Sameer Behar, PL

Hon'ble Shri Justice Arvind Singh Chandel
Judgment on Board

24/04/2018

1. Heard.
2. The applicant has preferred this application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 83/2017 registered at Police Station- Sonhat, District- Korea (C.G.). for the offence punishable under Sections 366 and 376 of IPC.
3. As per the prosecution story on 11/10/2017, the prosecutrix, a lady aged about 20 years had lodged a report alleging therein that she is fully acquainted with the applicant, who used to come her village. In the month of January, 2017, on the pretext of marriage, the applicant took her towards river and committed sexual intercourse with her. Since then, the applicant was committing sexual intercourse with her. When she asked the applicant for marriage on which he avoided for marriage. Due to physical relation between them, the prosecutrix became pregnant and later on, the applicant stopped to talk with her.

On the basis of above report, offence has been registered and the applicant was arrested on 27/10/2017.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that there was a love relation between them, the prosecutrix was a consenting party and the prosecutrix lodged the report after 9 months of incident. It has been further submitted that the applicant is in custody since 27/10/2017 and the trial will likely to take some time to conclude, therefore, he may be enlarged on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, particularly considering that the prosecutrix is a major lady and after getting pregnancy of 9 months she lodged the report. Moreover, the applicant is in custody since 27/10/2017 and the trial will likely to take some time, without further commenting on merits of the case, this court is inclined to release the applicant on bail.
8. Accordingly, MCRC. No.1609/2018 is allowed. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

**Sd/-
Judge
Arvind Singh Chandel**