

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2056 of 2018

Ravi Rajput, S/o. Moti Singh Rajput, Aged About 24 Years, R/o- Village Rambhatha, Police Station Dabhra, District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, P.S. Dabhra, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. B.M.Roy, Advocate

For Respondent : Mr. S.R.J.Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.05.2018

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 in connection with Crime No.35/2015 registered at Police Station- Dabhra, District Janjgir-Champa (C.G.) for the offence punishable under Sections 376, 109/34 of the Indian Penal Code.
2. As per the prosecution case, a report was made by the prosecutrix that in April, 2014 when she went to village Rambhag, she met to one Narayan Prasad Dubey and thereafter love relation was developed in between them and on the pretext of marriage he committed sexual intercourse and thereafter the present applicant has also been inculpated.
3. Learned counsel for the applicant would submit that the main allegation is against the other co-accused Narayan Prasad Dubey who has been examined before the Court and has been granted bail and the degree of allegation was not severe against this

applicant and he is in jail since 08.02.2018; therefore, he may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Also perused the statement of the victim wherein the main allegation appears to be against the other co-accused Narayan Prasad Dubey. Taking into facts and nature of allegation against this applicant, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge