

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2301 of 2018

Santosh Banjare S/o Loknath Banjare Aged About 34 Years R/o-
Village Bhaisamuda, Police Station And Tahsil Nawagarh, District-
Bemetara, Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through- The Police Station Nawagarh,
District- Bemetara, Chhattisgarh

---- Respondent

For applicant - Shri M.K. Bhaduri, Advocate.
For Respondent/State –Smt. Madhunisha Singh, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

3/05/2018

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.22/2018 registered in Police Station Nawagarh, District Bemetara (C.G.) for offence punishable under section 376 of IPC.
2. As per the prosecution case, a report was made by the victim on 17/02/2018 that on 16/02/2018 while prosecutrix went to answer the call of nature at that time the applicant caught hold of her dragged her into the hut and thereafter committed forcefull sexual intercourse.
3. Learned counsel for the applicant submits that it is a case of consent. He further submits that when the prosecutrix and the applicant were caught in compromising position false report has been lodged and the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim as also medical report. Considering the same, without any observation on the merit, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE