

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 2525 of 2018**

Sunil Singh Son of Raj Kishore Singh, aged about 29 years,
resident of 14th Battalion C-Company, Camp Balrampur, District -
Balrampur-Ramanujganj (CG)

---- Applicant**Versus**

State of Chhattisgarh through Station House Officer, Police
Station Balrampur, District Balrampur-Ramanujganj (CG)

---- Respondent

For Applicant	:	Shri Rahul K Mishra, Advocate
For Respondent/State	:	Shri Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Pritinker Diwaker**Order On Board****21/05/2018**

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 01/2018 registered at Police Station Balrampur, District – Balrampur-Ramanujganj for the offence punishable under Sections 450, 376 (2) (a), 506 Part-II of IPC and Section 3 (2) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. As per the prosecution case, the applicant had physical relation with the prosecutrix, a married lady aged about 27 years having 5 children for about 5 months. Thereafter, the report has been lodged.

3. Counsel for the applicant submits that admittedly, the prosecutrix was aged about 27 years and she was a consenting party. He submits that even if the entire prosecution case is taken as it is, the offence as

alleged against the applicant is not made out.

4. On the other hand, counsel for the State opposes the bail application.

5. Considering the totality of the facts and circumstances of the case, particularly the statement of the prosecutrix and her age, this Court is of the opinion that it is a fit case to release the applicant on bail.

6. Accordingly, the application for grant of bail is allowed and the accused/applicant is directed to be released on bail on his furnishing a personal bond of Rs.1,00,000/- with one surety for the like sum to the satisfaction of the concerned Magistrate for his appearance before it as and when directed.

**Sd/-
(Pritinker Diwaker)
Vacation Judge**