

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2530 of 2018

Rajkumar Kurrey S/o Suklal Aged About 19 Years R/o- Village
Barbhantha Chhind, Police Station- Sarangarh, District-
Raigarh, Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through- Station House Officer, P.S.
Sarangarh (Police Chowki Rampur), Civil And Revenue
District- Raigarh, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. U.R. Koshle, Advocate.
For the Respondent	:	Mrs. Madhunisha Singh

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.05.2018

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 513/2017 registered at Police Station Sarangarh, District- Raigarh (C.G) for the offences punishable under Sections 376 (2)(Dha) of IPC.
2. As per the prosecution case, a report was made by the prosecutrix on 05.10.2017 that on 09.02.2017 the applicant has committed forceful sexual intercourse with her on the pretext of marriage.
3. Learned counsel for the applicant submits that the prosecutrix was a consenting party and was major, therefore, no offence is made out. He further submits that the charge-sheet has been filed, no further investigation is necessary and the applicant is in jail since 05.10.2017, therefore, he

may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
 5. Perused the statement of prosecutrix who appears to be major.
 6. Considering the statement of prosecutrix as also the fact that the charge-sheet has been filed and the applicant is in jail since 05.10.2017 without any further observation on merits of this case, I am inclined to allow this bail application.
 7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**