

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3770 of 2018**

Santosh Kumar @ Pintu S/o Shri Chandradev Aged About 23 Years R/o-
Gondla, Police Station- Basantpur, District- Balrampur, Ramanujanj,
CG

---- Applicant

Versus

The State Of Chhattisgarh Through- The Station House Officer, Police
Station- Basantpur, District- Balrampur-Ramanujanj, CG

---- Respondent

For applicant	Mr. P.K. Patel, Adv.
For Respondent/State	Ms. Sunita Jain, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****3-7-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 27/2018 registered in police station Basantpur, Balrampur, Ramanujanj (CG) for offence punishable under Section 376(2) and 493 of the IPC.
3. Prosecution story in brief is that prosecutrix is aged about 21 years. She is resident of village Gondla, Bhuiyapara, P.S. Basantpur. Two-three years prior to the date of lodging the FIR, the applicant committed sexual intercourse with her on the pretext of marriage. Thereafter they performed marriage in Mahamaya temple. During this period, the applicant committed sexual intercourse with the prosecutrix so many times. Thereafter the applicant gone somewhere and not contacted her.
4. Looking to the above facts and circumstances of the case, looking to the facts that there is no likelihood of the accused to abscond and tamper the evidence, trial will take its own time, applicant is in custody since 13-3-2018, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned with the condition that he will

appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.

5. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge