

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4799 of 2018**

Raju Singh Thakur S/o Late Narayan Singh Thakur Aged About 26 Years
R/o- Birgaon, P.S. Keshkal, District- Kondagaon, Chhattisgarh., District :
Kondagaon, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- The Police Station Keshkal, District-
Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh.

---- Respondent

For the Applicant : Shri Raza Ali, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.08.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 25 of 2018, registered at Police Station Keshkal, District Kondagaon, Chhattisgarh for the offence punishable under Section 376(2)(n) of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 15.2.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The prosecutrix in this case is a major girl and she was a consenting party. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The case against the applicant is that he had an affair with the prosecutrix aged about 20 years for about one year. The prosecutrix is a member of Scheduled Tribe. Because of physical relation, the prosecutrix became pregnant and subsequently, the applicant has refused to marry her. Hence, the FIR has been lodged against the applicant.
6. Considering the entire material present in the case-diary, I am of the considered view that the present is a fit case where the applicant should be benefited with grant of regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge