

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4471 of 2018

- Subhash Singh S/o Atal Singh Aged About 28 Years R/o- Gram Sirgitti, P.S.- Sirgitti, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S. Sirgitti, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent -

For Applicant	:	Mr. Rajkumar Gupta, Advocate.
For Respondent	:	Mr. Anil S. Pandey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/07/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.106/2018 registered at Police Station-Sirgitti, District & Revenue – Bilaspur(C.G.) for the offence punishable under Section 376 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 4.4.2018. No case is made out against this applicant. Prosecutrix is a major girl and had been a consenting party. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, this applicant established physical relation with the prosecutrix, who is a major lady on pretext that he will marry her in future and subsequently had denied marrying her. Hence, this case.
6. After due consideration, I am of this opinion that this is a fit case where applicant should be benefited with grant of regular bail during the pendency of the case against him.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge