

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4709 of 2018

- Rupesh Kumar Sidar S/o Rama Sidar, Aged About 25 Years, R/o- Chhitapadariya, P.S. Baradwar, Tahsil Jaijaipur, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station City Kotwali, Civil And Revenue District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Shri B.M. Roy, Advocate.

For Non-applicant/State – Shri N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 20-06-2018 in connection with Crime No.764/2018 registered at P.S. - City Kotwali, Raigarh, Chhattisgarh for the offence under Section 376 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 20-06-2018. No case is made out against him. The prosecutrix is major and she had been consenting party throughout. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, the applicant on the pretext of marrying the prosecutrix exploited her sexually for more than three years before lodging of the FIR on 20-06-2018. During this period the prosecutrix conceived twice, but the pregnancy were aborted and ultimately this applicant

has refused to marry the prosecutrix. Hence, this case.

6. After due consideration on the entire material present in the case diary, I feel inclined to grant bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge