

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4860 of 2018**

Fakirchand @ Sonu, S/o. Shri Mahettar Bareth, Aged About 24 Years, R/o. Village - Tilgi, Tahsil - Pusaur, District - Raigarh Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : Police Station Pusaur, District Raigarh Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Vineet Kumar Pandey, Advocate
For Respondent	:	Mr. Anil S. Pandey, G. A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****31/07/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.90/2018, registered at Police Station- Pusaur, District – Raigarh (C.G.) for the offence punishable under Section 376 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 01.06.2018. No case is made out against him. The prosecutrix in this case is a consenting party to the entire incident and both of them had love affair. Only for the reason that this applicant has refused to marry the prosecutrix, she has lodged the false FIR against the applicant. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The allegation against this applicant is this that the applicant by alluring the prosecutrix with false promise to marry her, he established physical relation with her since 2014 and this relation continued up to 2018 and then applicant refused to marry the prosecutrix. Therefore, the FIR has been lodged.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge