

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4901 of 2018**

- Chandra Pratap S/o Vijay Pal Aged About 25 Years R/o Biharpur, P. S. Manendragarh, District Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P. S. Manendragarh, District Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

For Applicants	: Mr. Anil Gulati, Advocate
For State/respondent	: Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****01/08/2018**

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.80/2018, registered at Police-Station-Manendragarh, District-Korea(C.G.) for the offence punishable under Sections 376 & 417 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. He is in jail since

18.04.2018. No case is made out against him. The prosecutrix in this case was willing and consenting party in having physical relation with the applicant. A totally false FIR has been lodged against this applicant, hence, it is prayed that he may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The allegation against this applicant is this, that he met with the prosecutrix in the year 2016, and then he made a false promise to the prosecutrix to marry her and then started having physical relation with her in the year 2017. After having physical relation with the prosecutrix on number of occasions, finally the applicant refused to marry her, hence, the FIR has been lodged.
6. After considering on all the material present in the case diary and the trial against him is likely to take some time before its conclusion. For this reason, I am of this view that this is a fit case where the applicant should be released on bail during the pendency of the case against him.
7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicants 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 trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge