

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5104 of 2018

- Ramlal Dhruve S/o Budhram Dhruve Aged About 43 Years R/o Village Sivni Thana Khadgaon, Distt. Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Khadgaon, Distt. Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Samir Singh, Advocate.
For Respondent	:	Mr. Anant Bajpai, Panle Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

14/08/2018

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.16/2018 registered at Police Station– Khadgaon, District– Rajnandgaon(C.G.) for the offence punishable under Section 376 & 506 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 8.4.2018. No case is made out against him. After completion of investigation, charge-sheet has been filed. Prosecutrix is a major girl of 25 years age and she and this applicant had consensual physical relation for about more than 1 year, after which false FIR has been

lodged on 7.4.2018.Hence, it is prayed that applicant be enlarged 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. The allegation against this applicant is this, that he had physical relation with prosecutrix from March, 2016 to May, 2017 on pretext that he will marry her consequent to which prosecutrix became pregnant gave birth to a child and the applicant denied the parentage of child because of which the FIR has been lodged.
6. Considered the entire material present in the case diary, I am of this view that this is a fit case where applicant should be released on regular bail.
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