

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5287 of 2018

- Manoj Yadav S/o Alakh Ram Yadav, Aged About 29 Years, Caste Yadav, R/o Village Karnaud, P. S. Birra, District Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Janjgir, District Janjgir-Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

----Non-applicant

For Applicant – Mr. Vivek Singhal, Advocate.

For Non-applicant/State –Ms. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-08-2018

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 28-06-2018 in connection with Crime No.353/2018 registered at P.S. - Janjgir, District Janjgir-Champa, Chhattisgarh for the offence under Section 376 (2)(b) 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 28-06-2018. No case is made out against him. The prosecutrix is major of age 28 years and she was a consenting party. 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. It is alleged that this applicant on the pretext of marrying the prosecutrix who is suffering from some physical disablement established physical relation with her and then ultimately he refused to marry her.

6. After due consideration on all the material present in the case diary, I feel inclined to grant regular 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