

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6417 of 2018**

Dhanurjay Bisai S/o Lt Gupta Bisai Aged About 23 Years R/o- Village
Dhuragaon Balenga Tahsil Kodenga, District- Navrangpur,(Odisha), District :
Nabarangapur *, Orissa.

---- Applicant**Versus**

State Of Chhattisgarh Through- The Police Station Nagarnar, District-
Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh.

---- Respondent

For the Applicant : Shri P.K. Tulsyan, Advocate.
For the Respondent/State : Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.10.2018**

Heard.

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.91 of 2018, registered at Police Station – Nagarnar, District Bastar, Chhattisgarh for the offence punishable under Sections 366 and 376 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 3.8.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. According to the case against the applicant, negotiation of marriage of the applicant with the prosecutrix was going on and in between, the applicant forcefully raped the prosecutrix and continued to exploit her sexually for six months and then ultimately, he refused to marry her.
6. Considering the material present in the case-diary and after perusal of the statement of the prosecutrix under Section 164 of the Cr.P.C., I feel inclined to grant regular bail to the applicant.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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 trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge