

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6925 of 2018

Ranjeet Gilhare S/o Laxmi Narayan Gilhare, aged about 34 years, R/o Village Adsena, P.S. Kharora, District Raipur, presently at Palari, PS & Tahsil Palari, District Balodabazar Bhatapara (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Police Station Palari, District Balodabazar Bhatapara (C.G.).

---- Respondent

For Applicant	:	Ms. Supriya Upasane, Advocate
For Respondent	:	Mr. R.K. Jaiswal, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26/11/2018

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 422/2018 registered at Police Station Palari, Distt. Balodabazar (C.G.) for the offence punishable under Section 376 of the Indian Penal Code.
2. In this case, the Prosecutrix is a lady aged about 23 years. On 11/08/2018, a report was made by her stating therein that the Applicant, by alluring to perform marriage with her, continuously developed physical relation with her from 18/07/2017, and thereafter he refused to perform marriage with her. On the basis of the said report, an offence has been registered against the Applicant. He has been arrested on 19/08/2018.
3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated. She further

submits that there was love relation between the Applicant and the Prosecutrix. The Prosecutrix had already performed marriage with one Sunil, and thereafter she left him. In the year 2017, she again performed marriage with the Applicant. Later on, due to some dispute she made a report against the Applicant. She further submits that the Applicant is in custody since 19/08/2018 and trial will take time, therefore, the Applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Applicant is in custody since 19/08/2018, trial will likely to take time and the Applicant has no criminal antecedent, without further commenting on merit of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge