

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRC No. 7637 of 2018**

- Saroj Kumar Surya S/o Santram Surya Aged About 35 Years R/o Village Rasota Police Station -Pamgarh District (Revenue And Civil)-Janjgeer- Champa Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Police Station Gidhowri Tundra District (Revenue And Civil) -Balodabazar Bhatapara Chhattisgarh.

**---- Respondent**

---

|                      |                                  |
|----------------------|----------------------------------|
| For Applicant        | : Mr. Sumit Jhawar, Advocate.    |
| For Respondent/State | : Smt. Smita Ghai, Panel Lawyer. |
| For Objector         | : Shri D.C. Verma, Advocate      |

---

**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**19/11/2018**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 170/2018, registered at Police Station, Gidhowri Tundra District (Revenue and Civil) – Balodabazar- Bhatapara, Chhattisgarh (C.G.) for the offence punishable under Section 376 & 506 of the IPC.
2. In this case prosecutrix is a divorced lady aged about 32 years, she made a report on 16.08.2018, wherein, it has been alleged that on 15.07.2018 present applicant came to her house and on the pretext of marriage he committed forcefully sexual intercourse with the prosecutrix. On the basis of said report, offence has been registered against the present applicant and he has been arrested on 17.08.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case, there was a love relationship between both of them. He further

submits that both the parties have settled their dispute out of the Court , the applicant is in custody since 17.08.2018 and trial will take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. Learned Counsel for the objector has admitted the fact that both the parties have settled their dispute out of the Court, therefore, he does not want to press his objection.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that both the parties have already settled their dispute out of the Court, the Applicant is in custody since 17.08.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.
9. 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 solvent 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