

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7945 of 2017

- Ravi Prakash Panna S/o Shri B. Panna, Aged About 31 Years R/o Village Chongribahar, Police Station Kansabel, District Jashpur Chhattisgarh, Present Address Village Kukanar, Police Station Kukanar District Sukma Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sukma, District Sukma Chhattisgarh , Chhattisgarh

---- Respondent

For Applicant : Mr. Shrawan Agrawal, Advocate.
For Respondent : Mr. V. B. Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

27/02/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.02/2017, registered at Police Station– Sukma, District– Sukma(C.G.) for the offence punishable under Sections 376(2), 313, 506 Part-II of Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. The prosecutrix in this case is aged 17 years and she was a consenting party in the physical relation between her and the applicant. As the applicant refuse to marry her, because of which this false FIR has been lodged against him. Hence, it is prayed that he may be released 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 case of prosecution in brief is this, that between August, 2016 to 21st December, 2016 applicant on pretext of marrying the prosecutrix continuously had physical relation with her because of which she became pregnant then he by force aborted the pregnancy of the prosecutrix and also threatened her. Subsequent to that FIR was lodged. Hence, this case.
6. Considered on the entire material present in the charge-sheet and also perused the certified copy of the statement of the prosecutrix before the trial Court, in which, she has turned hostile and she has not supported the case of prosecution. Hence, I am of this opinion 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