

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8871 of 2018**

Rajendra Das @ Lanjha S/o Shri Radhe Das Aged About 19 Years
(Wrongly Mentioned As Radheshyam Panika In The Impugned ,order
Dated ,08.10.2018) R/o Bakna ,kala Police Station Lundra ,district
Sarguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer Police
Station Darima, District Sarguja Chhattisgarh., District : Surguja
(Ambikapur), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Rishi Rahul Soni, Advocate
For the State	:	Shri Neeraj Sharma, Dy. G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**01/12/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.77/2018 registered at Police Station Darima, District Sarguja (C.G.) for the offence punishable under Sections 366, 376(2)(n) of IPC.
3. Case of the prosecution, in brief is that 16/07/2018 prosecutrix was more than 18 years old. She is resident of village Kanthi. On 16/07/2018 applicant took the prosecutrix on pretext of marriage and committed repeatedly sexual intercourse with her. On 19/07/2018 she came to know that applicant is already married.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case and prosecutrix was consenting party, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to this fact that applicant who was already married and committed sexual intercourse with prosecutrix, this Court is not inclined to grant bail to the applicant.
7. Accordingly, bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge