

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1426 of 2019**

- Gourav Singh S/o Late Shri Rameshwar Singh Aged About 36 Years
R/o Aayudh Nirman Colony Katni, Police Station Madhav Nagar, Tahsil
Madhavnagar, District Katni M. P.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Sakri, Civil And Revenue District Bilaspur Chhattisgarh

---- Respondent

For applicant	Mr. Vishambhar Kaushik, Adv.
For Respondent/State	Mr. Vinod Tekam, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****13-3-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 38/2019 registered in police station Sakri, Distt. Bilaspur (CG) for offence punishable under Section 376, 384, 509(b) of the IPC .
3. Perused the case diary.
4. Prosecution story in brief is that prosecutrix is aged about 40 years and a resident of Uslapur, Bilaspur. The applicant introduced himself as Hemant Toppo to the prosecutrix. He committed repeatedly sexual intercourse with her. Later the prosecutrix came to know that real name of the applicant is Gaurav Singh who is a married man. Thereafter prosecutrix refused to continue relationship with him. The applicant threatened her that he will viral her intimate photographs and demanded Rs. 10,00,000/-.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated. The prosecutrix is a major lady and consenting party, hence he may be released on bail.
6. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicant in the police case diary.
7. Looking to the facts and circumstances of the case, specially looking to the fact that the applicant who was already married committed sexual intercourse with the prosecutrix on the pretext of marriage, this Court is not inclined to grant bail to the applicant.
8. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge