

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3740 of 2019**

Dheeraj Singh, S/o Ganga Prashad Singh, aged about 25 years, R/o Village Neganaar, P.S. Dharbha, District Bastar (CG). ---- **Applicant**

Versus

State of Chhattisgarh, through Police Station Bodhghat, Jagdalpur, District Bastar (CG). ---- **Non-applicant**

For Applicant	: Mr. Vikas A. Shrivastava, Advocate.
For Non-applicant	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****20.06.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.76/2019 registered at Police Station Bodhghat, Jagdalpur, District Bastar for the offence punishable under Sections 376, 294, 323 & 506 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 27.01.2019 the prosecutrix was aged about 22 years old. She is a resident of Jagdalpur. From 27.01.2019 onwards, the applicant committed repeatedly sexual intercourse with her on the pretext of marriage. Later on, she knew that the applicant has already married man. Thereafter, he refused to marry with her and gave threat to kill her.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is an innocent and has been falsely implicated in the present case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. However, he submits that there is no criminal antecedent is reported against the applicant in police case diary.
6. As per enclosed photocopy of statement of prosecutrix recorded under Section 164 of CrPC wherein she has stated that when she inquired about the marriage of the applicant then she knew that he was not married man.
7. Looking to the above facts and circumstances of the case, the bail application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-