

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3780 of 2019

- Krishna Ram Bhagat S/o Late Ramlal Bhagat Aged About 26 Years Caste Uraon, R/o Tongritoli, Police Station Duldula, District Jashpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Duldula, District Jashpur Chhattisgarh.

---- Respondent

For Applicant : Mr. Sanjeev Kumar Sahu, Advocate.
For Respondent/State : Mr. KK Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

28/06/2019

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. 31/2019, registered at Police Station Duldula, District Jashpur (C.G.) for the offence punishable under Section 376 of the IPC.
2. In this case age of the prosecutrix is about 23 years. As per prosecution story, on 26.04.2019, the prosecutrix herself lodged a report in police station alleging therein that since year 2010, on the pretext of marriage, the applicant had been developing sexual relationship with her thereafter the applicant refused to marry with her. On the basis of said report, offence has been registered. The applicant is in custody since 28.04.2019.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the case due to some dispute with the prosecutrix. He further submits that there was a love relationship between both of them and the prosecutrix was a consenting party. The applicant is in custody since 28.04.2019 and trial is likely to take some time. Therefore, the applicant may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant is in custody since 28-04-2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)

Judge