

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 4910 of 2019

- Ram Singh S/o Alamsai Aged About 32 Years, Caste Gond, R/o Village Pakni, Police Station And Tahsil Pratappur, District Surajpur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Chandoura, District Surajpur Chhattisgarh

---- Non-applicant

For Applicant : Mr. V.K. Pandey, Advocate.

For Non-applicant/State : Mr. Shrikant Kaushik, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-08-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 13.06.2019 in connection with Crime No.38/2019, registered at Police Station—Chandoura, District- Surajpur, Chhattisgarh for offence punishable under Sections 376 & 506 of Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that no case is made out against this applicant. The prosecutrix is 29 year old and there had been a consensual physical relationship between the applicant and the prosecutrix. Therefore, it is prayed that this applicant be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, this applicant allured the prosecutrix with a false promise to marry her and then established physical relation with her and that had continued for a considerable period, during which the prosecutrix became pregnant. However, her pregnancy was aborted with her consent. Subsequently, when the applicant has married somebody else, this F.I.R. has been lodged by the prosecutrix.
6. After considering the facts and circumstances and the nature of the allegation against this applicant, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge