

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5788 of 2019

- Mohit Mahanandi S/o Shri Sukman Mahanandi Aged About 22 Years R/o Pujari Para, Paurbel, Police Chowki Bakavand, Police Station Nagarnaar, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Nagarnaar, District Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

 For Applicant : Ms. Madhu Nisha Singh, Advocate
 For Respondent/State : Shri B.L. Sahu, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

07.11.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.95/2019, registered at Police Station Nagarnar, District Bastar(CG) for the offence punishable under Section 376 of the IPC.
3. As per the case of prosecution, the prosecutrix lodged a report that the applicant on the pretext of marriage, committed sexual intercourse with her for about 2 years and thereafter, he married to some other lady.
4. Learned counsel for the applicant submits that the applicant has not committed any offence. She further submits that there was love

affair between the applicant and the prosecutrix and she was a consenting party and as the applicant has married to some other lady, she lodged the report against the applicant. She submits that the applicant is in jail since 1.4.2019 and charge sheet has been filed and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicant and charge sheet has been filed, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE