

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5727 of 2019

- Ramesh @ Tularam Bhatra S/o Bholaram Bhatra Aged About 20 Years
R/o Village Morathpal Sadakpara, Police Station Nagarnar, District
Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant : Shri Vikash Shrivastava, Advocate
For Respondent/State : Shri Anil Tripathi, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

11.11.2019

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.202/2017, registered at Police Station Nagarnaar, District Bastar CG) for the offence punishable under Sections 376 & 313 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
3. As per the case of prosecution, the prosecutrix lodged a report on 6.9.2017 that the applicant committed sexual intercourse with her on the pretext of marriage due to which she became pregnant and thereafter, he aborted the child.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He submits that the prosecutrix is aged about 17 years and she was a consenting party. He submits that the applicant is in jail since 10.9.2017 and trial will take some time, 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 trial may take some time, 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