

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5712 of 2019

- Kuber Verma S/o Mohan Verma Aged About 19 Years R/o Village Padumsara, Police Station- Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Respondent

 For Applicant : Ms. Sharmila Singhai, Advocate
 For Respondent/State : Shri Anil Tripathi, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

06.11.2019

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.402/2019, registered at Police Station Bemetara, District Bemetara(CG) for the offence punishable under Sections 376, 506, 306, 511, 34 of the IPC.
3. As per the case of prosecution, on the false pretext of marriage, the applicant committed sexual intercourse with the prosecutrix on 28.6.2019 and threatened her to death, due to which she consumed some pesticide and tried to commit suicide.
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. The prosecutrix is a major lady and she was a consenting party. She submits that the applicant is in jail since 25.7.2019 and yet charge sheet has not 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 yet charge sheet has not 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