

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6205 of 2019

- Nehal Rathod S/o Rohit Kumar Rathod Aged About 35 Years R/o B / 8, S. S. Green Colony, Tulsi Nagar, Korba, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Azak Korba, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

 For Applicant : Shri Manoj Paranjape, Advocate
 For Objector : Shri Hemant Kumar Agrawal, Advocate
 For Respondent/State : Shri V.K. Agrawal, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

02.12.2019

1. Heard.
2. This is an 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.10/2019, registered at Police Station Azak Korba, District Korba(CG) for the offence punishable under Sections 376 of the IPC and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. As per the case of prosecution, the prosecutrix lodged a report that the applicant committed forcible sexual intercourse with her on the pretext of marriage and thereafter he refused to marry. It is also alleged that the applicant threatened that he will make viral her obscene videos and demanded Rs.10 lacs from her.

4. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix is a major lady and she was a consenting party and no such seizure has been made from the applicant. He further submits that earlier also she has filed complaints against other persons on the same allegations. He submits that the applicant is in jail 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 as well as learned counsel for the objector oppose the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant, 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 in like sum 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