

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6873 of 2019**

- Pravin Yadav S/o Shri Mahesh Yadav Aged About 25 Years R/o Village Parsagudi, Rounakhota, Police Station Rajpur, District Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

----Applicant**Versus**

- State Of Chhattisgarh Through Police Station Incharge, Police Station Sitapur, District Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicant	:	Shri Bhupendra Singh, Advocate
For Respondent	:	Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.200/2017, registered at Police Station -Sitapur, District Surguja (C.G.) for the offence punishable under Section 376(2)(Dh) of the IPC & Sections 5 and 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution is that the prosecutrix lodged a report that the during 2015 to 2017 the applicant committed sexual intercourse with her on the pretext of marriage and thereafter he married to some other lady.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He

submits that the prosecutrix is a major lady and she was a consenting party. He further submits that as the applicant is in custody since 3.8.2019 and the trial is likely to take some time for its final disposal, he may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the prosecutrix is major and she was a consenting party, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. 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.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge