

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2677 of 2020

- Shivkumar Tekam S/o Shri Kanwal Singh Tekam Aged About 25 Years
R/o Village Firangipara, Thana- Narharpur, Civil And Revenue District-
North Baster Kanker, Chhattisgarh., District : Kanker, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police
Station- Narharpur, District- North Bastar, Kanker, Chhattisgarh.,
District : Kanker, Chhattisgarh

---- Respondent

For Applicant : Shri Sunil Sahu, Advocate
For Respondent/State : Shri K.K. Singh, G.A.

Hon'ble Smt.Justice Rajani Dubey
Order On Board

15.5.2020

1. Heard.
2. Admit.
3. 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.39/2020, registered at Police Station Narharpur, District, North Bastar Kanker(CG) for the offence punishable under Sections 376(2)(n) of the IPC.
4. As per the case of prosecution, the prosecutrix lodged a report that while she was in training of Anganwadi Worker from 17.7.2017 to August 2017 at Jagdalpur, the applicant on the pretext of marriage committed sexual intercourse with her and thereafter, he denied to marry.
5. Learned counsel for the applicant submits the applicant is innocent and he has not committed any offence. He submits that

the prosecutrix is aged about 22 years and she was in love with the applicant and she was a consenting party. He submits that applicant is in custody since 16.3.2020 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

6. On the other hand, learned counsel for the State opposes the bail application.
7. Perused the entire material available on record.
8. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and charge sheet has been filed as also the prosecutrix is aged about 22 years, I am of the opinion that present is a fit case to release the applicant on bail.
9. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
10. 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.
11. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE