

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.3845 of 2020

- Domar Jaiswal, S/o Lakhanlal Jaiswal, Aged About 28 Years, Present Address R/o Village Suma, Police Station Bhatapara (Rural), District Baloda Bazar Bhatapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bhatapara (Rural), District Baloda Bazar Bhatapara, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Gurudev Sharan, Advocate
Shri K. K. Singh, GA

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

20/08/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.126/2020, registered at Police Station Bhatapara (Rural), District Baloda Bazar - Bhathapara for the offence punishable under Section 376 of IPC.
2. As per the written complaint lodged by the prosecutrix on 19.03.2020, the applicant expressed his love and intimacy to befriend her and thereafter committed sexual intercourse on promise to marry. The relationship started in 2017 which continued prior to the date of lodging of FIR i.e. for about 3 years.

3. The prosecutrix is a grown up girl, aged about 23 years.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the age of the prosecutrix and the length of their intimate relation as also for the reason that the applicant is in jail since 19.04.2020 and the charge sheet has already been filed, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
Prashant Kumar Mishra
Judge

Nirala