

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.3993 of 2020

- Ganeshwar @ Sanju Mahar, S/o Dilip Mahar, Aged About 21 Years, R/o Sapna Pink City, Atal Awas, Rampur Ward, Dhamtari, Police Station City Kotwali, District Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station City Kotwali, Dhamtari, District Dhamtari Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Anil Gulati, Advocate
Shri Adil Minhaj, Dy. AG

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

02/09/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.103/2020, registered at Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Sections 376, 366 & 506 of IPC.
2. The applicant has allegedly committed forcible sexual intercourse with the prosecutrix, aged about 19 years, on promise to marry.
3. As per the statement of the prosecutrix, the applicant took her to the house of his maternal uncle and committed forcible sexual intercourse during the day time and thereafter again in the night.

The incident took place on 23.02.2020, but the FIR was lodged after 6 days i.e. on 29.02.2020.

4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the entire facts situation of the case including the delay in lodging the FIR; age of the prosecutrix; charge sheet has already been filed and the applicant is in jail since 01.03.2020, 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