

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6028 of 2020

Santosh Yadav S/o Shri Bhau Ram Yadav Aged About 27 Years R/o
Madhuban Road, Katiyapara, Police Station City Kotwali, District
Bilaspur Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through Station House Officer, Police Station
City Kotwali, Civil and Revenue District Bilaspur Chhattisgarh.
--- **Respondents**

For the applicant	:	Mr. Goutam Khetrapal, Advocate
For the State	:	Mr. Gagan Tiwari & Mrs. Richa Shukla, Dy.Govt. Advocates.
For the Prosecutrix	:	Mr. Raj Kumar Pali, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.12.2020

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 149 of 2020 registered at Police Station City Kotwali, Distt. Bilaspur (C.G) for the offences punishable u/ss 376 & 506 of IPC.
2. As per the prosecution case, the applicant used to commit forcible sexual intercourse with the prosecutrix between the period from 01.05.2020 to 31.05.2020 on the promise of marriage and further has extended threat.
3. Learned counsel for the applicant would submit that the prosecutrix and the applicant have decided to marry and the prosecution has produced the prosecutrix accompanied by her counsel before the Court so as to make her statement. Counsel for the applicant also submits that the applicant is

ready and willing to marry the applicant.

4. Learned State counsel Mrs. Richa Shukla, was directed to verify the fact and after verification of the fact from the prosecutrix, it is submitted that the prosecutrix is ready and willing to marry the applicant. Considering this fact and the age of the prosecutrix, I am inclined to allow the bail application.
5. However, in case of any default in fulfilling the promise by the applicant and accepted by the prosecutrix, which is made before this Court, the consequence will follow.
6. Accordingly, this application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE