

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6094 of 2020

- Mahesh Minj, S/o Prem Sai, Aged About 22 Years, R/o Badouli Jamdoharpara, P. S. Rajpur, District Balrampur-Ramanujganj, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through The Police Station Rajpur, District Balrampur-Ramanujganj, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri A. N. Pandey, Advocate
Shri Dinesh Tiwari, Dy. GA

Hon'ble Justice Shri Gautam Chourdiya

Order On Board

02/12/2020

1. The applicant has preferred this first bail application under Section 439 of CrPC, as he has been arrested in connection with Crime No.76/2020, registered at Police Station Rajpur, District Balrampur Ramanujganj (C.G.) for the offence punishable under Section 376 of IPC.
2. The case of the prosecution in brief is that the prosecutrix, aged about 22 years, and the applicant were having a love affair for about 4 years and during this period, the applicant made physical relations with the prosecutrix on the pretext of marriage.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case, as the applicant and

the prosecutrix were having love affairs for about 4 years and on the date of incident, the prosecutrix was aged about 22 years. The applicant is in jail since 24.04.2020 and the trial may take some more time, therefore, the applicant may kindly be released on bail.

4. Learned State counsel opposes the bail application.
5. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case and for the fact that the applicant is in jail since 24.04.2020 and the trial is likely to take some more time, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and it is directed that in the event of applicant's executing a personal bond for a sum of Rs.25,000/- with two equivalent sureties for the like amount to the satisfaction of the Trial Court, the applicant be released on bail. He is directed to appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.
7. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
Gautam Chourdiya
Judge