

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6605 of 2020

1. Guddu Kashyap S/o Samdhu Kashyap Aged About 22 Years
R/o Village Erandwal Thana Kodena District Bastar
Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through Police Station Kodena
District Bastar Chhattisgarh.

---- Respondent

For Applicant	Mr. Vikas Shrivastava, Advocate
For Respondent /State	Mr. Lalit Jangde, Dy. Govt. Advocate

(Proceedings through Video Conferencing)

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

2/11/2020

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.72/2019, registered at Police Station Kodena, District Bastar (CG), for the offence punishable under Section 376 (2)(f) of the Indian Penal Code.
3. The applicant and the prosecutrix were in relationship since March, 2019. During this period, the applicant committed forcible sexual on promise to marry, but later on denied to marry her. At the time of lodging of FIR on 2-12-2019 the prosecutrix was carrying pregnancy.

4. Learned counsel for the State, *per contra*, would oppose the bail application.
5. Considering the fact that the prosecutrix is a major girl, more than 18 years of age and had entered into consensual sexual intercourse on the alleged promise to marry and the applicant is in jail since 3-12-2019 i.e. almost 11 months and also considering the fact that the charge sheet has already been filed, I am of the opinion that present is a fit case to release the applicant on regular 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 in 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.
7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri