

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6622 of 2020

- Bhuvneshwar Yadav S/o Tilu Yadav, Aged About 22 Years R/o Village Bhakurra, Tahsil Lailunga, District Raigarh, Civil And Revenue District Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Officer-In-Charge Police Station - Lailunga, District - Raigarh Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ishan Verma, Advocate
For State	:	Mr. Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16.12.2020

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of bail as he is arrested on 16.05.2020 in connection with Crime No. 100/2020, registered in Police Station Lailunga District Raigarh (C.G.) for offence punishable under section 376 of IPC.
2. As per the prosecution case, on 28.03.2020 when the prosecutrix along with her cousin sister went to the forest, the applicant came there and forcefully committed sexual intercourse with the prosecutrix.
3. Learned counsel for the applicant submits the prosecutrix is a married lady and she was a consenting party as the FIR was lodged on 14.05.2020, therefore applicant is falsely been implicated in this case and

he may be enlarged on bail.

4. Learned State counsel opposes the submission made by learned counsel for the applicant.

5. Perused the submission of the prosecutrix and the medical report and considering the fact that the chargesheet has been filed, without any further observation I am inclined to release the applicant on bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

6. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE