

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6749 of 2020

- Anjani Chouhan S/o Shri Rajendra Chouhan Aged About 23 Years
R/o- Laxmi Market, Supela, Bhilai, Teh. And District Durg,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Supela, District Durg,
Chhattisgarh

---- Respondent

For Applicant	:	Mr. Arun Kumar Shukla, Advocate
For State	:	Mr. Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

17.12.2020

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 30.07.2020 in connection with Crime No. 466/2020, registered in Police Station Supela, District Durg (C.G.) for offence punishable under sections 376, 493, 312, 34 read with 34 of IPC.

2. As per the prosecution case, the applicant and the prosecutrix were friends and therefore have entered into sexual relationship. Subsequently, the prosecutrix became pregnant and it was aborted. The applicant, thereafter refused to marry the prosecutrix, therefore the report was made.

3. Learned counsel for the applicant, on instructions submits that the

applicant is ready and willing to perform marriage with the prosecutrix and the affidavit filed Annexure P/2 shows that the prosecutrix and other family members are also willing to marry.

4. Considering the submission made and the fact that the chargesheet has been filed, 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.

5. However, the prosecutrix shall be at liberty to rely upon the statement made during the course of applicant's submission before this Court that the applicant is ready and willing to marry her.

6. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE