

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1268 of 2021

1. Pappu @ Premkumar Markandey Son Of Shatruhan Markandey, Aged About 25 Years, Resident Of Village Ghorbhatthi, Police Station Arang, Tahsil Abhanpur, District Raipur (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Station Arang, District Raipur (C.G.).

---- Non-Applicant

For Applicant	:	Mr. Pradeep Singh Rathore , Advocate.
For Non-Applicant/State	:	Mr. Ayaz Naved, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

01/07/2021

- 1) The matter is heard through video conferencing.
- 2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in custody since 01/11/2020 in connection with Crime No. 486/2020, registered at Police Station Arang, District Raipur (C.G.) for the offence punishable under Section 376, 323 of Indian Penal Code.
- 3) Case of the prosecution, in brief, is that on 31/10/2020 the prosecutrix lodged a report against the applicant that he established physical relations with her prior to 22/08/2020 on number of occasions on the pretext of marriage as a result of which she got pregnant and thereafter the applicant refused to marry her.
- 4) Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this case. He

submits that the applicant is in jail since 01/11/2020, charge sheet has been filed and conclusion of the trial is likely to take some time. Therefore, the present applicant be released on bail.

- 5) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 6) I have heard the learned counsel appearing for the parties.
- 7) Considering the facts and circumstances of the case, the nature of allegation against the applicant, the applicant is a married person, he is alleged to have physical relations on the pretext of marriage with the prosecutrix who is a widow lady, therefore without commenting anything on merits of the case, this Court is not inclined to release the applicant on bail. Accordingly, the application is **rejected**.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant