

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1710 of 2021**

1. Brijesh Shah, son of Shriram Shah, aged about 24 years, resident of near Rajaram Cycle Stores, Link Road, Camp-02, Bhilai, Tehsil and District Durg (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, District Durg (CG)

---- Non-Applicant

For Applicant : Shri AC Sahu, Advocate.
 For Non-Applicant : Shri V.R. Tiwari, Additional AG.

Proceeding Through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag CJ****Order On Board****18/06/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.513/2020 registered in Police Station Chhawani, District Durg for offence under Section 376 of the IPC.
2. This is the 2nd bail application on behalf of the applicant. The earlier bail application was dismissed with liberty to revive the prayer after examination of the prosecutrix and now the prosecutrix has been examined.
3. The applicant allegedly committed forcible sexual intercourse with the prosecutrix on promise to marry. In her statement before the Court, she admits of prior acquaintance, affair and consensual sexual relations. She later on insisted for marriage but the applicant avoided to marry her.
4. Considering the fact that the prosecutrix is more than 18 years of age and the applicant is in jail since 9.10.2020, I am inclined to release him

on bail.

5. Accordingly, the 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 for 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.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

Barve