

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2165 of 2021

- Buchu @ Vishnu Manjhi Son Of Lati Manjhi Aged About 52 Years Resident Of Village- Dhanpuri, Police Station And Tahsil- Dharamjaigarh, District- Raigarh (Chhattisgarh),

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Raigarh (Chhattisgarh),

---- Respondent

For Applicant	–	Mr. Deepak Gupta, Advocate
For State	-	Mr. Aditya Bhardwaj, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.07.2021

1. This is the first bail application filed under Section 439 of CrPC for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 217/2020 registered in Police Station Dharamjaigarh Distt. Raigarh (C.G.) for offence punishable under Sections 376 of Indian Penal Code.
2. As per prosecution case, a report was lodged on 30.11.2020 that while the prosecutrix was coming back from her mother's house at about 1:00 am, the applicant caught hold her, dragged her to the forest and committed forceful sexual intercourse with her.
3. Learned counsel for the applicant submits that the prosecutrix is a married lady of aged about 30 years and the medical report do not support the fact about any injury in the body. He submits that since the prosecutrix being a consenting party, the applicant may be enlarged on bail.
3. Learned State counsel do not dispute the fact that no injury has been shown in the medical report.
5. Considering the fact that the prosecutrix is a married lady aged about 30 years and no injury has been shown in the medical report, without any further

observation on the merit, 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.

Sd/-

(Goutam Bhaduri)

Judge

Vishakha