

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2321 of 2021**

- Aditya Shrivastava S/o Shri Atul Shrivastava Aged About 25 Years R/o Housing Board Colony, Hotkachora Lal Bagh, Jagdalpur, Police Station- Kotwali, Tahsil- Jagdalpur, District-Bastar, Chhattisgarh

**---- Applicant****Versus**

- State Of Chhattisgarh Through- The Police Station- Kotwali, District- Bastar, Chhattisgarh

**---- Respondent**


---

For Applicant : Shri Pravin Kumar Tulsyan, Advocate

For Respondents/State : Shri Rahul Jha, GA

---

**Hon'ble Shri Justice Goutam Bhaduri****Order****16/07/2021**

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 01.02.2021 in connection with Crime No.529/2020 registered at Police Station Kotwali, District Bastar (CG) for the offence punishable under Section 376 I.P.C.
3. As per the prosecution case, a report was lodged by the prosecutrix on 03.12.2020 that the applicant in between 05.05.2019 to 31.07.2020 on the pretext of marriage and the love affair committed sexual intercourse.
4. Learned counsel for the applicant submits that the applicant and the prosecutrix

were in love affair and because of certain misunderstanding in between the family members the incident happened and the report has been made. He would further submit that since the charge-sheet in this case has been filed and the applicant is in jail since 01.02.2021 and no further investigation would be required in this case, he may be released on bail.

5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the background and the age of the prosecutrix she is a major and also taking into that the charge-sheet in this case has been filed, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum 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/-

Goutam Bhaduri  
Judge

Ashu