

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2379 of 2021

Bharat Patel S/o Ghanshyam Patel, Aged About 32 Years R/o Near Kankalin Mandir, Dadarkhurd, Police Chowki - Manikpur, Tahsil And District - Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through - District Magistrate Korba, Police Chowki - Rampur, Police Station - Kotwali, District - Korba Chhattisgarh.

---- Respondent

For applicant - Shri S.B. Pandey, Advocate.
For Respondent/State – Shri Aditya Bharadwaj, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

09/08/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.126/2021 registered in Police Chowki Rampur, Police Station Kotwali, District Korba (C.G.) for offence punishable under sections 376, 506 of Indian Penal Code and Section 67 of Information Technology Act.
2. As per the prosecution case, a report was made by the prosecutrix on 18/02/2021 that the prosecutrix came in contact with the applicant in 2016, on the pretext of marriage he committed sexual intercourse. Subsequently, when she was alone in the rented house there also the applicant went and committed sexual intercourse and prepared some obscene video and on the pretext of black mailing that if she do not surrender to his wishes he would make the video viral. He continued with such sexual relation though the applicant was married.
3. Learned counsel for the applicant submits that the applicant and the victim were known to each other and she also knew that the applicant was married and the photograph which is seized by the police would show

that there has been joint photograph with the wife of the applicant, therefore the fact that the applicant concealed the fact that he is not married is wrong. He further submits that the various photographs which was seized by the police also shows that it was at the behest of the prosecutrix herself as the mobile belong to her, therefore the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and read out the statement under Section 164 of Cr.P.C.

5. Having regard to the fact and the nature of allegation and seizure has been made of the various photographs which shows the applicant, his wife and the prosecutrix, charge sheet has been filed, without further observation on the merit, this court is inclined to release the applicant on bail.

6. 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