

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through video conferencing****MCRC No. 4047 of 2021**

- Manish Ban Goswami S/o Ravendra Ban Goswami Aged About 32 Years R/o Village Nari, P.S. Bemetara, Tehsil And District Bemetara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P.S. Bemetara, District Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh.

---- Respondent

For Applicant - Shri Manish Nigam, Advocate.
For Respondent/State - Shri Sudeep Agrawal, Dy. Advocate General.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice
Order on Board

28-07-2021

1. Heard.
2. The applicant has preferred the first bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No.156/2021, registered at Police Station – Bemetara, District-Bemetara (C.G.) for the offence punishable under Sections 376, 376 (2) (n), 506 of the Indian Penal Code.
3. The prosecutrix aged 18 years was subjected to forcible sexual intercourse from 31-01-2021 to 18-02-2021. She alleges that applicant ravished her on promise to marry.

4. Applicant has filed documents evidencing that the prosecutrix was missing from 22-02-2021 and was recovered on 24-02-2021 vide recovery Panchnama **Annexure A-2**. However, at the time of preparation of Panchnama, she made statement that no untoward incident has happened with her. The present FIR has been lodged after more than ten days i.e. on 06-03-2021, after her recovery.
5. Learned State counsel would oppose the prayer for grant of bail.
6. Considering the delay in lodging the FIR and for the fact that the prosecutrix is 18 years of age; charge sheet has already been filed and the applicant is in jail since 07-03-2021, I am inclined to release the applicant on bail.
7. Accordingly, the bail 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 Judge

Amardeep