

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through video conferencing****MCRC No. 4483 of 2021**

1. Amarnath Bargah S/o Ramdev Aged About 34 Years R/o Chatnia, P. S. Chando, District Balrampur Ramanujganj Chhattisgarh

---- Applicant

Versus

1. State of Chhattisgarh Through P. S. Chando, District Balrampur Ramanujganj Chhattisgarh

---- Respondent

For Applicant - Shri Pushkar Sinha, Advocate.
For Respondent/State - Shri Vikram Sharma, Dy. Government Advocate.

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

18-08-2021

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.28/2021, registered at Police Station – Chando, District – Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 376 (2) (n), 506 of the Indian Penal Code.
3. Prosecutrix aged about 23 years lodged a report that the applicant took her to his house and maintained sexual relation on promise that he will marry her, but later on he refused to marry her.
4. It is the case of the applicant that his niece has been ravished by the brother of the prosecutrix, for which the applicant has lodged a report against brother of the prosecutrix, therefore, the present F.I.R. is a counter blast to F.I.R. against brother of the prosecutrix.

5. Learned State counsel would oppose the prayer of grant of bail.
6. Be that as it may, the fact remains that the prosecutrix is a major girl and was residing with the applicant as his wife, though, they were not married in accordance with their own custom. Therefore, considering that the applicant is in jail since 05-06-2021 and charge sheet has already been filed, 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 Justice

Amardeep