

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6793 of 2020**

Kailash Kange S/o Late Shri Faguram Kange Aged About 27 Years  
By Caste- Gond, R/o Village- Ichchhapur, Thana And Tahsil-  
Kanker, Distt.- North Baster Kanker, Chhattisgarh

**---- Applicant**

**Versus**

State Of Chhattisgarh Through The Station House Officer Police  
Station- Kanker, Distt.- North Baster Kanker Chhattisgarh

**---- Respondent**

---

For applicant - Shri Sunil Sahu, Advocate.  
For Respondent/State – Shri Gagan Tiwari, G.A.

---

**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**04/01/2021**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.241/2020 registered in Police Station Kanker, Distt. North Baster Kanker (C.G.) for offence punishable under sections 376, 506, 450 of I.P.C.
2. As per the prosecution case, report was made by the prosecutrix on 20/08/2020 and subsequently on 27/08/2020 the applicant came into the house of the prosecutrix took her to the court yard and thereafter committed forceful sexual intercourse on the life threat.
3. Learned counsel for the applicant submits that the prosecutrix is 31 years married lady and she was a consenting party to the entire incident, subsequently when facts were known to the other report has been, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix. Charge sheet has been filed, applicant is in jail since 10/09/2020, without any 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

gouri