

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7947 of 2020**

- Kamlesh Kumar Purame, S/o Mohan Purame, Aged About 27 Years, R/o Ward No. 12, Jabkasa Nedgaon, Tahsil- Manpur, District- Rajnandgaon Chhattisgarh. (Address as mention in the order sheet Dated 15-07-2020) Kamlesh Kumar Purame, Aged 27 Years, S/o Mohan Purame, R/o House No. 125, Ward No. 12, Jabkasa, Jabkasa Nedgaon, Rajnandgaon, District- Rajnandgaon Chhattisgarh.

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

- State Of Chhattisgarh Through; S.H.O. Police Station- Manpur, District- Rajnandgaon Chhattisgarh.

**---- Respondent**


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| For Applicant        | : Mr. Hemant Gupta, Adv. |
| For Respondent/State | : Mr. Sameer Uraon, G.A. |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****11.02.2021**

1. The accused/applicant has moved this **second bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 4/2020 registered at Police Station- Manpur, District- Rajnandgaon, (C.G.) for the offence punishable under Section 376(D) of IPC.
2. Earlier, the first bail application of the applicant was disposed of with liberty to prefer the application before the court below vide order dated 15.07.2020 passed in MCRC No. 2251/2020 by this Court.
3. The prosecution story, in brief is that, it has been alleged that on the pretext of marriage, the present applicant had made physical relationship with the prosecutrix and thereafter, he denied marry to her. Present applicant has been taken into custody on 13.01.2020.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that prosecutrix and the applicant have love affair prior to marriage of the prosecutrix and she is a major lady. It is submitted that there is no previous criminal record against the applicant and the applicant is in jail since 13.01.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the present applicant is of serious in nature, therefore, no case is made out for grant of bail.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that prosecutrix is a major lady. The applicant is in jail since 13.01.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
8. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local 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 to him by the said Court.

**Sd/-**  
**(Rajani Dubey)**  
**Judge**