

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8137 of 2020**

- Bhuval Das Sahu S/o Shri Sahdev Ram Sahu Aged About 27 Years R/o Village Mudhipar, Tahsil Khairagarh, Police Station Gatapar, District Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through- The Station House Officer, Police Station Mahila Thana Bilaspur, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant	-	Shri Rajeev Kumar Dubey, Advocate.
For Respondent/State	-	Ms. Akshara Amit, Panel Lawyer.

Hon'ble Shri Justice Prashat Kumar Mishra
Order On Board**24/02/2021**

1. Heard.
2. The applicant has preferred this bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No.31/2020, registered at Police Station: Mahila Thana Bilaspur, District: Bilaspur (C.G.) for the offence punishable under Section 376 of the Indian Penal Code.
3. The prosecutrix is a married lady aged about 29 years having eight years' old Son from her husband. However, she is living separate from her husband for the last nine years and in the meanwhile, she came in contact with the applicant in April 2017 through facebook and thereafter they developed an

affair and the applicant allegedly sexually exploited her on promise to marry.

4. The relationship continued from 1st April, 2017 to 15th July, 2020, however, after the said date, the applicant refused to marry her by saying that she is yet to get divorce from her earlier husband.
5. Learned State counsel would oppose the prayer for grant of bail.
6. Considering the affair between the parties and the age of the prosecutrix, it cannot be ruled out that their relationship was consensual, therefore, as the applicant is in jail since 19-10-2020 and the charge sheet has 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)
Judge