

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8469 of 2020**

- Manish Kumar Chauhan S/o Nanhu Kumar Chouhan Aged 22 Years R/o Azad Chowk, Devsaraal, Mahasamund Chhattisgarh, Presently R/o Kota Stadium Panwari, Saraswati Nagar Raipur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Saraswati Nagar District Raipur Chhattisgarh

---- Respondent

For Applicant
For Respondent /State

Mr. JK Gupta, Advocate
Mr. Adil Minhaz, Government
Advocate

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****18.2.2021**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.133/2020 registered at Police Station Saraswati Nagar, District Raipur (CG) for the offence punishable under Section 376 of the IPC.
3. The applicant and the prosecutrix had an affair for about 5 years preceding the lodging of FIR. The prosecutrix was

subjected to sexual intercourse for the first time on 3.5.2017 and thereafter, it continued regularly though she alleges that the sexual intercourse happened on the applicant's promise to marry. The prosecutrix is aged about 25 years.

4. Considering the previous affair between the applicant and the prosecutrix and for the fact that the applicant is in jail since 2.10.2020 and the charge sheet has already been filed, this Court is inclined to release the applicant on regular bail.
5. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in 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.
6. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge