

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8375 of 2020**

1. Yaad Ram Sahu, S/o Shri Bisesar Sahu, aged about 31 years, R/o Ward No.5, Village Gathula, OP Chikhali, Police Station Kotwali, District Rajnandgaon (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through the Police Station Lalbagh, District Rajnandgaon (CG)

---- Non-Applicant

For Applicant : Shri Shaleen Singh Baghel, Advocate.
For Non-Applicant : Shri Adil Minhaj, GA.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****17/02/2021 :-**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.407/2020 registered in Police Station Lalbagh, District Rajnandgaon for offence under Section 376 of the IPC.
2. The prosecutrix, a married lady aged about 29 years, having two issues out of the wedlock, was separate from her husband without any divorce proceeding. While the prosecutrix and the applicant were serving under a common Master, they developed an affair and in the said course, the applicant reached the house of the prosecutrix at about 9 pm on 19.10.2020, took her to the house of one of his relatives and stayed there over night and during this period, he committed forcible sexual intercourse 4 times in the same night.

3. The offence was reported to the police on 20.10.2020.
4. Considering the age of the prosecutrix, previous affair as mentioned in the FIR itself and further that when the sexual intercourse took place, they were staying in the house of one of the relatives of the applicant, and the prosecutrix did not resist, I am inclined to release the applicant, who is in jail since 22.10.2020, on bail.
5. Accordingly, the 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/-
Judge
(Prashant Kumar Mishra)

Barve