

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7951 of 2021**

1. Sahil Chaudhary, S/o Ganesh Chaudhary, aged about 20 years, Caste Harijan, R/o Kanchan Dafai, Khongapani, Ward No.10, Police Station Jhagrakhand, Tehsil Manendragarh, District Koriya (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Jhagrakhand, Tehsil Manendragarh, District Koriya (CG)

For Applicant	: Shri S.R. Sinha, Advocate.
For Non-Applicant	: Miss Ishwari Dhritlahre, Panel Lawyer.

Hon'ble Shri Deepak Kumar Tiwari, J

Order On Board

27/10/2021 :

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.216/2021 registered in Police Station Jhagrakhand, District Koriya for offence under Section 376 (2) (ढ) of the IPC.
2. Case of the prosecution, in brief, is that the applicant captured a video of the prosecutrix while she was taking bath and threatened the prosecutrix to viral the video and committed forcible sexual intercourse with her on several occasions.
3. Learned counsel for the applicant submits that the applicant has not committed any offence. The prosecutrix fell in relationship with the applicant and on the interest to marry, their sexual relations continued. When the applicant refused to marry her, the FIR was lodged. The prosecutrix is a major lady and is a consenting party. The applicant is in jail since 2nd September, 2021 and charge sheet has already been filed. Therefore, the applicant may be released on bail.

4. Per contra, learned State Counsel would oppose the bail application.
5. Considering the facts and circumstances of the case, particularly the age of the prosecutrix, as she was born in the year 1993 and aged about 28 years as also the age of the present applicant who is 20 years old and their relations continued for longer period and the FIR was lodged belatedly, this Court is inclined to release the applicant on bail.
6. 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.10,000/- 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/-
(Deepak Kumar Tiwari)
Judge

Barve