

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8078 of 2021**

1. Bablu @ Ballu @ Thabir @ Thabira Tandi, aged about 49 years, S/o Khetro @ Khetra Tandi, R/o Village Komma, Turiyapada, District Nuapada, Orissa.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Bhakara, District Dhamtari (CG)

---- Non-Applicant

For Applicant : Shri Pushkar Sinha, Advocate.
For Non-Applicant : Shri Ishwar Jaiswal, Panel Lawyer.

Hon'ble Shri Deepak Kumar Tiwari, J

Order On Board

29/10/2021 :

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.129/2020 registered in Police Station Bhakara, District Dhamtari for offence under Section 376 and 506 of the IPC.
2. Case of the prosecution in brief is that the prosecutrix, who is aged about 27 years, has no issue from the wedlock, therefore, on the advise of her uncle (Phoophu), she had gone for treatment to the accused, who is doing the business of quack (Vaidya) on 21st October, 2020 at 6 pm. The accused has made physical relations with the prosecutrix for which an FIR was lodged on 29th October, 2020.
3. Learned counsel for the applicant submits that the applicant had treated the prosecutrix and her husband. When he demanded the remaining amount from them, they have implicated the applicant in forged cases. The prosecutrix is aged about 27 years and a married lady. The

applicant is in jail since 12th August, 2021. Therefore the applicant may be released on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Considering the facts and circumstances of the case, particularly the fact that the prosecutrix is a major lady aged about 27 years, she has not reported the incident immediately and lodged the report after 8 days, looking to the period of detention and without commenting anything on the merits of the case, this Court finds fit to enlarge 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