

## Raju Bhagat Vs State Of Chhattisgarh

**Court:** Chhattisgarh High Court

**Date of Decision:** March 18, 2020

**Acts Referred:** Code Of Criminal Procedure, 1973 " Section 439  
Indian Penal Code, 1860 " Section 376, 417

**Hon'ble Judges:** Prashant Kumar Mishra, J

**Bench:** Single Bench

**Advocate:** Keshav Prasad Gupta, Fouzia Mirza

**Final Decision:** Allowed

### Judgement

@JUDGMENT-JUDGMENT

Prashant Kumar Mishra, J

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.173/2019, registered at Police Station Tamnar, District Raigarh (CG) for the offence punishable under Sections 376 & 417

of IPC.

3. The applicant has allegedly committed sexual intercourse with the prosecutrix, aged about 19 years, for a period of one year on promise to marry.

However, later on, the applicant married MCRC No. 910 of 2020 another girl and refused to own the child born to the prosecutrix out of their

relationship. There is no DNA report till this date substantiating that the applicant is the biological father of the child born to the prosecutrix.

4. Since the prosecutrix is more than 18 years of age and she entered into consensual sexual relationship with the applicant for about a year as also for

the reason that the applicant is in jail since 10.9.2019, I am of the opinion that present is a fit case 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 executing 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.