

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5771 of 2015

Ram Vilas Chouhan S/o Late Kanta Couhan Aged About 21 Years
R/o Odari Math, Police Station Berun, District Gazipur (U.P.). At
Present Brij Nagar, Bhairav Nagar, Police Station Tikrapara, Raipur,
Civil And Rev. Distt. Raipur Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through Station House Officer, Police
Station Tikrapara, Raipur, District Raipur Chhattisgarh.

For applicant - Shri Y.C. Sharma, Advocate.

For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/11/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.303/2015 registered in Police Station Tikrapara, District Raipur for offence punishable under section 363, 366, 376 of IPC and Sections 3, 4 of the Protection of Children from Sexual Offences Act (POCSO Act) 2012.
2. As per the prosecution case, a report was lodged that on 9/06/2015 daughter of the complainant aged about 17 years went away from the house and she did not come back and thereafter during investigation applicant was arrested and they were apprehended at the bus stand.
3. Learned counsel for the applicant submits that statement of prosecutrix under Section 164 of Cr.P.C. was recorded which would reveal that prosecutrix has solemnized marriage with the applicant and they were living together and thereafter they moved at different places and she

remained as a wife of the applicant and he submits that there has been no point in continuing with the case as in any case the applicant has married the prosecutrix.

4. Learned State counsel opposes the prayer for grant of bail.

5. I have gone through the charge sheet, applicant is in jail since 25/06/2015 and taking into account statement under Section 164 of Cr.P.C. wherein prosecutrix has stated that she has married with the applicant, without any observation on merit, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE