

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5511 of 2015

Tushar Mandal, son of Krishna Mandal Aged About 21 Years
Occupation Student, R/o Village Ganeshpur, Police Station Jaynagar,
Civil and Revenue District Surajpur (Chhattisgarh). --- **Applicant**

Versus

State of Chhattisgarh Through the Station House Officer, Police
Station Jaynagar, Civil & Revenue District Surajpur (Chhattisgarh).

--- **Respondent**

For the applicant	:	Mr. Ashok Shukla, Advocate
For Respondent	:	Mr. Omprakash, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri
Order on Board

26.10.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 106/2015 registered at P.S. Jaynagar, District Surajpur (C.G) for the offence punishable under Sections 363, 366-A & 376 IPC.
2. The case of the prosecution is that on 14.06.2015, a report was lodged by one Vishnu Das that his daughter left the house and accompanied the applicant and thereafter on investigation, the case was registered and the applicant was taken into custody on 15.06.2015.
3. Learned counsel for the applicant submits that the prosecutrix has married to the applicant and it would be evident from the statements recorded before the trial Court. He further submits that on the date of incident, the age of prosecutrix was 17 years and 4 months. He therefore submits that considering the facts and circumstances of the case, the applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application..
5. Having considered the statement of the prosecutrix and the cross examination wherein she admits that she has married to the applicant and is residing with him and she further wanted to stay with the applicant as also the fact that the applicant is in jail since 15.06.2015, this Court is inclined to release him on bail. Accordingly,

this application is allowed.

6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court on each and every date given by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao