

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4058 of 2016**

Thakur Ram S/o Om Prakash, Aged About 21 Years, R/o Village  
Chhotapatani, P.S. Basna, District Mahasamund Chhattisgarh.

**----Applicant**

**Versus**

State Of Chhattisgarh Through Station House Office, Police Station  
Basna, District Mahasamund Chhattisgarh.

**---- Respondent**

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For applicant - Shri Raghvendra Pradhan, Advocate.  
For Respondent/State – Shri Vinod Tekam, PL.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**26/07/2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.357/2014 registered in Police Station Basna, District Mahasamund (C.G.) for offence punishable under sections 363, 366, 376 of IPC and Section 4 of Protection to Children from Sexual Offences.
2. As per the prosecution case, father of the prosecutrix lodged a report on 13/09/2014 that the applicant enticed away the minor girl on the pretext of marriage. Subsequently, she was recovered on 12/04/2016 and the offence as stated have occurred with the girl, she was subjected to rape.
3. Learned counsel for the applicant submits that the applicant and the victim were in love relation, they have eloped and performed marriage and out of the wedlock a child was born. Learned counsel submits that therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim under Section 164 of Cr.P.C.

wherein it is stated that she has performed marriage with the applicant and have blessed with child. Considering such statement, without further observation on the merits, 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