

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3079 of 2016

Ramnath S/o Ramchandra Nagesiya Aged About 20 Years R/o
Village Amdhuri, P.S. Balrampur, Distt. Balrampur - Ramanujganj
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Rajpur, Distt. Balrampur Ramanujganj Chhattisgarh

---- Respondent

For applicant - Shri Jitendra Shrivastava, Advocate.
For Respondent/State – Shri Vinod Tekam, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

5/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 61/2016 registered in Police Station Rajpur, Dist. Balrampur-Ramanujganj for offence punishable under sections 363, 366, 376 (2) (३) of Indian Penal Code and Section 5 (३) of POCSO Act, 2012.
2. As per the prosecution case a report was made on 7/02/2016 by the prosecutrix Shashikala that on the pretext of marriage she was taken away by the applicant from the lawful guardianship of her mother and father and thereafter applicant committed forceful sexual intercourse and he refused to marry the prosecutrix. Subsequently, prosecutrix was recovered from the possession of the applicant. Thereby offence is committed.
3. Learned counsel for the applicant submits that the applicant and the prosecutrix they have performed marriage which would be evident from the affidavit filed by the prosecutrix as also affidavit of the father and

mother, 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 prosecutrix. Taking into contents of affidavit which is not been disputed by the State and applicant has performed marriage with the victim, 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