

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 254 of 2016

Chandan Das Manikpuri S/o Gulal Das Aged About 23 Years R/o
Salhekala P.S. Chuikhadan District Rajnandgaon Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Chuikhadan
District Rajnandgaon Chhattisgarh

---- Respondent

For applicant -Shri Anurag Jha, Advocate.
For Respondent/State – Shri Ashutosh Pandey, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.112/13 registered in Police Station Chuikhadan District Rajnandgaon Chhattisgarh for offence punishable under section 363, 366, 376 of Indian Penal Code and Section 4, 6 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case a report was made by father of the victim in year 2013 that her daughter is missing and subsequently she was found on 23/10/2015 from the possession of the applicant and after investigation charge sheet has been filed as the applicant took away the girl from the lawful custody of their parents and thereafter committed sexual intercourse.
3. Learned counsel for the applicant submits that the applicant and the victim girl has performed marriage and out of the wedlock they are blessed with child. He relied on the certificate which is filed along with this petition as Annexure A-3. He submits that therefore the applicant may be released on bail.

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

5. I have perused the case diary which contains the marriage certificate of the applicant and the victim. Taking into fact that applicant has performed marriage with the victim and also considering the statement under Section 161 of Cr.P.C., 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