

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6207 of 2015

- Narendra Sinha, S/o Parmanand Sinha, Aged About 25 Years,
Resident of Village Dewada, Police Station Somni, District
Rajnandgaon Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh S/o Through P.S. Somni, District
Rajnandgaon Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Arun Kochar, Advocate
For the Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.01.2016

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. 120 of 2015 registered at P.S. Somni, Distt. Rajnandgaon (C.G) for the offence punishable under Sections 363, 366, 376 of IPC and Section 4(A) & 6 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution, on 17.06.2015 the applicant abducted the prosecutrix who is minor on the allurement of marriage and subsequently he committed forcible sexual intercourse with the girl for which a report was lodged on 17.07.2015 by the prosecutrix.
3. Learned counsel for the applicant submits that the applicant has performed marriage with the prosecutrix and she is aged about 17 years and was able to understand every thing and as per the statement recorded u/s 164 Cr.P.C., the boy was confined by the family members and the dispute arose between the family members of the prosecutrix and family

members of the applicant and since the applicant do not dispute the marriage till date, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the case diary and the statement u/s 164 Cr.P.C., wherein the prosecutrix has stated that she has performed the marriage with the applicant.
6. Taking into such fact and the age of the prosecutrix who is stated to be 17 years and as stated, after marriage the applicant and prosecutrix remained as husband and wife I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed and 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 shall also appear before the trial Court as and when directed by the said Court.
8. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**