

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2221 of 2017**

- Sanju Karsh S/o Dayaram Karsh: Aged About 21 Years R/o Village - Rohina: Police Chowki- Bhatgaon; Tahsil & District(Revenue & Civil) - Balodabazar- Bhatapara, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through : Police Chowki- Bhatgaon: Police Station Bilaigarh, District-(Revenue & Civil) Balodabazar - Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	Mr. Anand Kesharwani, Advocate
For Respondent /State	Ms. Shobha Kashyap, Dy. GA

Hon'ble Mr. Justice Prashant Kumar Mishra
Order On Board**26/5/2017**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.269/2014, registered at Police Station Bilaigarh, Police Chowki-Bhatgaon, District (Revenue & Civil), Balodabazar-Bhatapara (CG) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 4, 17 of the Prevention of Children from Sexual Offences Act.
3. Learned counsel for the applicant would submit that although

the allegation of abduction and commission of forcible sexual intercourse has been alleged against the applicant, but as a matter of fact, the applicant and the prosecutrix are married and have 11 months old daughter out of the said marriage. He would also submit that presently the prosecutrix is residing in the applicant's house as daughter-in-law of his family.

4. Learned counsel for the State would oppose the bail application on submission that the prosecutrix was less than 18 years of age, however, she would not dispute her statement before the Child Welfare Committee at Balodabazar-Bhatapara, wherein, she has admitted that she is presently residing in the applicant's house.
5. Considering the entire facts' situation of the case including the fact that the applicant is in jail since 28.2.2017, this Court is inclined to release the applicant on regular bail.
6. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
7. Certified copy as per rules.

Sd/-

Vacation Judge

(Prashant Kumar Mishra)