

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4453 of 2017

1. Thanuram Sahu S/o Rameshar Sahu, Aged About 34 Years R/o Village Tulsi, Police Station Simga, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Of Police Station Simga, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant

Shri Anil Gulati, Advocate

For Respondent/State

Shri Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/10/2017

1. Perused the case diary as well as the documents filed by the applicant.
2. The applicant has preferred this second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.11/2013 registered in police station Simga, District Baloda Bazar-Bhatapara (CG) for the offence punishable under Sections 363, 366, 376, 493 of the Indian Penal Code and Sections 4, 6 of the Protection of Children from Sexual Offences Act.

3. The first bail application, bearing M.Cr.C.No.1611 of 2017, was dismissed by this Court as withdrawn with liberty to move after examination of the prosecutrix.

4. Considering the entire facts situation of the case, particularly considering the fact the prosecutrix is presently living with the applicant and they have two children out of the alleged wedlock, which is said to be performed after the present incident of commission of rape and also considering the fact that the applicant is in jail since 23-1-2017, this Court is inclined to release him on bail. 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. Sd/-

Judge
Prashant Kumar Mishra

Gowri