

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7377 of 2018

Ashutosh Singh S/o Krishnendra Singh Aged About 20 Years R/o
Janta Quarter No. 1511, Veersawarkar Nagar, Hirapur, Police
Station - Kabir Nagar, Raipur, District - Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station - Kabir Nagar, District
- Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri Shrikant Mishra and Shri Varunendra Mishra
Advocates.

For Respondent/State –Shri Dilman Rati Minj, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

31/10/2018

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.110/2018 registered in Police Station Kabir Nagar, Raipur (C.G.) for offence punishable under sections 342, 376 of IPC and section 4 of POCSO Act.
2. As per the prosecution case, a report was made by the prosecutrix that because of the scolding of the mother she went to the house of the applicant wherein she was subjected to forceful rape against her will, she being minor offence has been committed.
3. Learned counsel for the applicant submits that the applicant and the prosecutrix were in love relation and according to the statement of the doctor no offence of rape was attributed. It was further stated that father of the prosecutrix being in police allegation have been attributed, 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 victim under section 161 and 164 of

Cr.P.C. It appears that she was in love relation with the applicant. Considering the overall facts and statement, 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.

Sd/-

(Goutam Bhaduri)

JUDGE