

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 1126 OF 2019

Sagar Verma S/o Shri Nakul Verma, aged about 19 years, R/o Malpuri, PS Nandni-Ahiwara, District Durg (CG).

... Applicant

Versus

The State of Chhattisgarh Through The Station House Officer, Police Station Kumhari, District Durg, Chhattisgarh.

... Respondent

For Applicant	:	Shri Praveen Dhurandhar, Advocate.
For Respondent-State	:	Ms. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/02/2019

1. This is repeat bail application seeking for grant of bail to the Applicant who is in jail since 24.06.2018 in connection with Crime No.163 of 2018 registered at Police Station Kumhari, Distt. Durg for the offence punishable under Sections 323, 505 and 376 IPC and Section 3(2)(B-A) of Scheduled Caste/Schedule Tribe (Prevention of Atrocities) Act. The earlier bail application was withdrawn with liberty to revive after sometime vide order dated 30.10.2018 passed by this court.
2. The counsel for the applicant submits that the prosecutrix in the instant case has subsequently been examined on 24.12.2018 as PW-1 and in her cross examination she has categorically admitted the fact that the present applicant and the prosecutrix were having an affair for quite sometime and both of them, on mutual consent,

voluntarily had physical relationship, and therefore the applicant be released on bail.

3. The State counsel opposes the bail application.
4. Taking into consideration the evidence of the prosecutrix and also considering the age of the applicant as well as the prosecutrix, this court is of the opinion that a strong case is made out for grant of bail.
5. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge