

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3621 of 2019**

Kamal Narayan Yadav, S/o Laxman Yadav, aged about 20 years,
R/o Village Sipkona, Police Station Patan, District Durg,
Chhattisgarh ---- **Applicant**

Versus

State of Chhattisgarh, Through Station House Officer, Police
Station Abhanpur, District Raipur (C.G.) ---- **Respondent**

For Applicant	:	Shri Awadh Tripathi, Advocate
For State	:	Shri K.K. Dewangan, Deputy Government Advocate

Hon'ble Smt. Justice Vimla Singh Kapoor**Order On Board****10/06/2019**

1. This application under Section 439 Cr.P.C. has been filed by the accused/applicant who is in custody since 09.03.2019 in connection with Crime No.104/2018 registered at Police Station Abhanpur, District Raipur for the offences punishable under Sections 363, 366, 376 IPC and 4 of POCSO Act.
2. Considering the rival submissions of the parties, keeping in mind the statement of the prosecutrix recorded by the Magistrate under Section 164 of the Code of Criminal Procedure wherein she has categorically stated that she had accompanied the accused/applicant to Hyderabad on her own volition where they got married in a temple, and further not being oblivious of her statement recorded under Section 161 Cr.P.C. stating that it was the outcome of their affair where the physical relations between the two were established consensually making her pregnant, *prima-facie* this Court is of the opinion that it is a fit case to release the accused/applicant on bail.
3. Accordingly, the application is allowed and the accused/applicant is directed to be released on bail on his furnishing a bond in the sum of

Rs.20,000/- with one surety for the like sum to the satisfaction of the concerned Magistrate.

4. Order Accordingly.

C.C. as per rules.

Sd/-
(Vimla Singh Kapoor)

Vacation Judge

Jyotishi/Ajay