

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 915 of 2020**

- Suresh Rajbhar S/o Rameshwar Rajbhar, Aged About 22 Years R/o Susudipara, Jakhniya Gajipur, P.S. Nonahara, District Gajipur (Uttar Pradesh)

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Ghumka, District Rajnandgaon Chhattisgarh

---- Respondent

For Applicant	Mr. Purnendra Kichariya, Advocate
For Respondent/State	Mr. KK Singh, Government Advocate

SB .: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****18/3/2020**

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.130/2019, registered at Police Station, Ghumka, District Rajnandgaon(CG) for the offence punishable under Sections 363, 366, 376 of IPC and Section 4 of the POCSO Act and Section 3 (2) (v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

3. The applicant has allegedly abducted the prosecutrix and committed forcible sexual intercourse on promise to marry. Perusal of the case diary would indicate that the applicant and the prosecutrix eloped together and stayed at village Nazrul District Gaziabad (UP). It is also to be seen that the relatives of the prosecutrix including her mother have filed affidavit before the trial Court that they are not inclined to prosecute the applicant further. The order sheet of the trial Court also reveals that the mother of the prosecutrix had appeared before the trial Court at the time of hearing of the bail application.
4. Considering the entire facts situation of the case and that the applicant is in jail since 2.1.2020, I am of the opinion that present is a fit case to release the applicant on regular bail.
5. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in 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.
6. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge

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