

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1151 of 2020

Ajay Wasnik S/o Shiv Kumar Wasnik Aged About 25 Years R/o Shanti Nagar, Ward No. 10 Police Station Out Post Chikhali, Tehsil And District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Out Post Chikhali, Police Station City Kotwali, District Rajnandgaon Chhattisgarh.

---- Respondent

For applicant - Shri S.S. Baghel, Advocate.
For Respondent/State – Smt. Fouzia Mirza, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

12/05/2020

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 294/2018 registered in Police Station O.P. Chikhali, P.S. City Kotwali for offence punishable under sections 363, 366, 376 of IPC & Section 3, 4 of the POCSO Act.
2. As per the prosecution case, missing report was lodged by the parents of the prosecutrix in 2018, thereafter when the girl was found in 2019, the applicant has been arrested and offence under section 366, 376 of IPC alongwith sections 4 of the POCSO Act has been registered as on the date of incident the prosecutrix was minor.
3. Learned counsel for the applicant submits that as on date the prosecutrix and the applicant have been married which would be evident from Annexure A-2 and they have a child and the applicant is in jail since 16/01/2020, therefore the applicant may be released on bail.
4. Learned State counsel opposes the argument.
5. Perused the marriage certificate. Considering the same and the fact

that the applicant is in jail since 16/01/2020, 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