

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1344 of 2020

Deepak Kumar S/o Dev Prasad Sahu Aged About 19 Years R/o Village Girra, Police Station Palari, District Baloda Bazar-Bhatapara Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through Police Station Palari District Baloda Bazar-Bhatapara Chhattisgarh, Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Pushpendra Kumar Patel, Advocate.
For the Respondent	:	Mr. Sudeep Verma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.05.2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.168/2019 registered at Police Station Palari, Distt. Baloda Bazar-Bhatapara (C.G) for the offences punishable under Sections 363, 366, 376 of IPC and section 6 of the Protection of children from Sexual Offences Act.
2. As per the prosecution case, on 19.04.2019 the prosecutrix who was a minor was enticed away by the present applicant from the lawful guardianship of her parents and thereafter committed sexual intercourse.
3. Learned counsel for the applicant referred to the Marriage Certificate (Annexure A-2) and would submit that the applicant has married the prosecutrix. Learned State Counsels do not dispute the fact about the marriage of applicant and prosecutrix.
4. A perusal of Annexure A-2 shows that the marriage was solemnized between the applicant and prosecutrix.
5. Considering the back ground of the case especially taking into

consideration that the marriage has already taken place and at this stage no further investigation is necessary and further considering the fact that the applicant is in jail since 14.01.2020, I am inclined to allow this bail application.

6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao