

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.3389 of 2020

- Dharmendra Kumar Nirmalkar, S/o Ram Ji Nirmalkar, Aged About 20 Years, R/o Village Manikpur, Police Station Bodla, District Kabirdham, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Out Post Pondi, Police Station Bodla, District Kabirdham, Chhattisgarh

---- Respondent

For Applicant

Shri Dharmesh Shrivastava, Advocate

For Respondent-State

Shri Gagan Tiwari, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

14/08/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.104/2020, registered at Police Station Bodla, Outpost Pondi, District Kabirdham (C.G.) for the offence punishable under Sections 363 & 366 read with Section 34 of IPC and Section 3 (2) (5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. The applicant's friend Dipak had an affair with the prosecutrix. On the date of incident, the prosecutrix requested the applicant to drop her in the house of Dipak so that she can stay and marry Dipak. When the applicant and the prosecutrix reached the house

of Dipak, he refused to keep the victim with him after finding that the prosecutrix is a minor. The prosecutrix was thereafter taken to the house of Nakul Sahu, another friend of the applicant, where she was kept for one day.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the entire facts situation of the case, particularly the nature of allegation against the applicant in the diary statement of the prosecutrix, this Court is inclined to release the applicant on bail.
5. Accordingly, the 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 for 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.

Sd/-
Prashant Kumar Mishra
Judge

Nirala