

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3927 of 2020**

- Ritik @ Aryan Kumbhkar S/o Late Baldau Aged About 19 Years
R/o Kharripara, Near Kali Mandir, P. S. City Kotwali District
Mungeli Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, P. S. City
Kotwali District Mungeli Chhattisgarh

---- Non-Applicant

For Applicant : Shri Pallav Mishra, Advocate.
For Non-Applicant : Shri K.K. Singh, Govt. Advocate.
Prosecutrix is also present through VC at High
Court Helpdesk.

Proceeding Through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****04/09/2020 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.96/2020 registered in Police Station City Kotwali, District Mungeli for offence under Section 376 of the IPC and Section 3 (2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, the prosecutrix aged about 22 years,

was learning computer at Computer Centre at Mungeli, in November, 2017. During this time, she got acquainted with the applicant and subsequently, he arranged a rented premises at Mungali where they started staying together. As per the prosecutrix, the applicant committed sexual intercourse for about 4 months and thereafter she returned to her village. The applicant used to visit her residence in the village in the presence of her brother and grandfather. The prosecutrix became pregnant, however, sexual relations continued. The pregnancy was got aborted by the applicant, however, later on he refused to marry the prosecutrix.

3. Learned State Counsel as well as the prosecutrix who appeared before this Court through Video Conferencing at the High Court helpdesk opposes the bail application.
4. On perusal of the FIR, diary statement and 164 CrPC statement of the prosecutrix, it does not appear that sexual relations commenced on applicant's promise to marry. In the 164 CrPC statement, the prosecutrix states that after she became pregnant due to their sexual relations, she insisted for marriage, which was initially avoided and later on he refused.
5. In view of the statement of the prosecutrix and for the fact that

the applicant is in jail since 6.3.2020 and charge sheet has already been filed, this Court is inclined to release the applicant on bail.

6. 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/-
Judge
(Prashant Kumar Mishra)

Barve