

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4334 of 2020**

- Sadhuraam Mourya S/o Subas Mourya Aged About 21 Years Residing At Village Nayagaon Tahsil Tokapal District Bastar Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Police Station Parpa, District Bastar Chhattisgarh

---- Respondent

For Applicant	Mr. Pravin Tulsyan, Advocate
For Respondent /State	Ms. Fouzia Mirza, Additional Advocate General

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****15/9/2020**

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.71/2020 registered at Police Station Parpa District Bastar for the offence punishable under Sections 363, 366(a), 376 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
3. The prosecutrix, aged about 17 years, exchanged her mobile number with the applicant after they were introduced to each

other by a common friend Monuram. Subsequently, they got connected through Whatsapp and developed liking. On the date of the incident, the applicant took her to Bhopalpatnam and committed forcible sexual intercourse against her on promise to marry for about 3 days. i.e. from 17.3.2020 to 19.3.2020. Later on, the applicant dropped the prosecutrix near the Panchayat Building and returned to his village.

4. Although the prosecutrix is less than 18 years of age but considering that they were in touch through Whatsapp and remained friends for about 8 months and thereafter, she stayed with the applicant for about 3 days and at no point of time, she raised any protest nor disclosed about the affair to any other person and also for the fact that the applicant is in jail since 23.3.2020 and the charge sheet has already been filed, this Court is inclined 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 furnishing 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