

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4370 of 2020**

- Achin Banjare S/o Poshunarayan Aged About 21 Years R/o Satnamipara, Anda, Police Station Anda, Tehsil And District Durg Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The District Magistrate, District Durg Chhattisgarh

---- Respondent

For Applicant
For Respondent /State

Mr. Avinash Chand Sahu, Advocate
Ms. Fouzia Mirza, Additional Advocate
General

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****1/9/2020**

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.29/2020 registered at Police Station Supela, District Durg (CG) for the offence punishable under Sections 363, 366, 376 of the IPC and Sections 4, 6 of the Protection of Children from Sexual Offences Act, 2012.

3. Although the prosecutrix is less than 18 years of age but from her statement recorded under Section 164 of Cr.PC, it appears, she was in love with the applicant and had accompanied him on her own sweet will and stayed with him in his house and in the house of his other relatives for two days, during which, she was subjected to rape.
4. Considering the entire facts' situation of the case particularly the statement of the prosecutrix and for the fact that the applicant is in jail since 18.5.2020 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

Shyna