

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.4606 of 2020

- Naresh Kumar Rajwade, S/o Santlal Rajwade, Aged About 20 Years, Caste Rajwar, R/o Village Khopa, P. S. Vishrampur, Tehsil Bhaiyathan, District Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Out Post Latori, P. S. Jainagar, District Surajpur, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Shakti Raj Sinha, Advocate
Shri Vikram Sharma, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

03/09/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.137/2020, registered at Outpost Latori Police Station Jainagar, District Surajpur (C.G.) for the offence punishable under Sections 363, 366 & 376 of IPC and Sections 4 & 6 of POCSO Act.
2. The prosecutrix, aged about 17 years and 3 months, a student of Class-12th, got acquainted with the accused when he used to come to her village while driving a Trailer vehicle. Negotiation for their marriage was held in March, 2020, but the parents of the

prosecutrix informed the parents of the applicant that let the prosecutrix attain the age of marriage. Thereafter, sexual intercourse happened in April, 2020 and then she eloped with the applicant on 28.05.2020. She was recovered from the applicant's possession on 02.06.2020. At this time, she refused to go back to her parental house.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the entire facts situation of the case and the background in which the incident has taken place, this Court is inclined to release the applicant on bail.
5. Accordingly, the bail 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