

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4940 of 2020

- Sanjay Korram S/o Shri Mahesh Korram, Aged About 24 Years, R/o - Village Chimdi, P/s Kondagaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through P/s Kondagaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Non-applicant

For Applicant – Shri Lukesh Kumar Mishra Advocate.

For Non-applicant/State – Shri B.P. Banjare, Deputy Govt. Advocate.
Shri Ishan Verma, Advocate for the objector.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-11-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 10-02-2020 in connection with Crime No.37/2020 registered at Police Station - Kondagaon, District Kondagaon, Chhattisgarh for the offence under Section 376, 376(2)(n), 376(3) of the IPC read with Section 06 of Protection of Children from Sexual Offences Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 10-02-2020. He has not committed any offence. The FIR lodged is totally false, therefore, the complainant is ready to make statement of no objection in grant of bail in favour of the applicant. Hence, it is prayed that the application be allowed.

3. Learned counsel for the State/non-applicant opposes the application and submits that the prosecutrix was minor and she has clearly made statement about her sexual exploitation by the applicant, therefore, offences registered against him are clearly made out. Hence, the application may be rejected.

4. Complainant Sushama Thakur is present before this Court. She has made statement that she has no objection in grant of bail to the applicant.
5. Heard the submissions and perused the documents.
6. As per the prosecution case, it is alleged that this applicant on pretext of marrying the minor prosecutrix has exploited her sexually on numerous occasions which has resulted in pregnancy. Hence, this case.
7. Considered on the submissions and also the statement that has been made regarding no objection made by the complainant side and on this basis, I feel inclined to allow this application.
8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge