

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.4820 of 2020

- Pikeshwar @ Piluram, S/o Tularam Aged About 21 Years, R/o Village - Dabpali, Thana Tendukona, Tahsil Pithora, District- Mahasamund, (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station- Pithora, District- Mahasamund, (C.G.)

---- Respondent

For Applicant
For Respondent

Shri Vikas Pradhan, Advocate
Shri Gagan Tiwari, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

16/09/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.201/2018, registered at Police Station Pithora, District Mahasamund (C.G.) for the offence punishable under Sections 363, 366, 376 & 376 (2) of IPC and Sections 4 & 6 of the POCSO Act.
2. The applicant and the prosecutrix eloped on 07.10.2018. A missing report was lodged by her father on 11.10.2018. She was recovered from Village Turidih, District Mahasamund from the possession of the present applicant. As per her 164 CrPC statement, she left her house on some dispute with her family

and went to State of Uttar Pradesh for work. At this place, she came in contact with the present applicant and they developed an affair after which they returned to Raipur, stayed together and performed marriage at a local temple. In this statement, she says that she is attending the Court with her mother-in-law and Jeth, who are none other than the mother and elder brother of the present applicant.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the statement of the prosecutrix recorded under Section 164 CrPC where she says that she has married with the applicant and is residing with his family, 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