

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.4740 of 2020

- Khilesh Verma, S/o Omkar Verma, Aged About 23 Years, R/o Village Bhanpuri, Police Station Dongargarh, District Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dongargarh, District Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Shikhar Sharma, 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.658/2019, registered at Police Station Dongargarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 363 & 376 read with Section 34 of IPC and Sections 4, 6 & 17 of the POCSO Act.
2. As per material available in the case diary, particularly statement of the prosecutrix recorded under Section 164 of CrPC, it is revealed that the applicant and the prosecutrix were in affair for about 1 year prior to 29.11.2019 when they eloped and went to Pune where they stayed at an under construction building for

about 1 month and were working in the said construction site. At this place, the applicant subjected her to sexual intercourse on promise to marry. The age of the prosecutrix is 17 years and 8 months.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the prior affair before elopement, 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

Nirala