

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5598 of 2020**

- Bhola Nishad S/o Sewakram Nishad, Aged About 22 Years R/o Village Siyarpali, Thasil And District Raigarh Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Chakradharnagar Raigarh District Raigarh Chhattisgarh.

---- Respondent

For Applicant
For Respondent /State

Mr. Manoj Kumar Jaiswal, Advocate
Mr. KK Singh, Government Advocate

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****5/10/2020**

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.58/2019, registered at Police Station Chakradharnagar, District Raigarh (CG) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 4, 6 of the Protection of Children From Sexual Offences Act, 2012.

3. The prosecutrix was aged about 17 years on the date of the incident. The applicant was working with the father of the prosecutrix. During such engagement, the applicant came into contact with the prosecutrix and both of them developed liking for each other. After conversation over mobile phone and an affair, they eloped on 24.2.2019 and started residing at Kirodimalnagar. Due to some dispute between them, the prosecutrix consumed sleeping pills on 17.5.2019, where-after, she was admitted to the hospital but the applicant did not attend her properly. She gave birth to a baby girl on 13.1.2020.
4. Considering the entire facts situation of the case and the fact that the applicant is in jail since 19.5.2020; the charge sheet has already been filed; and the love affair between the applicant and the prosecutrix, 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

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