

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4898 of 2020**

- Ramchandra Baiga, S/o Shambhunath Baiga, Age 22 years, Caste Baiga, R/o Village Markhohi, P.S. Janakpur, District Koriya (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, PS Janakpur, District – Koriya (CG)

---- Non-Applicant

For Applicant	: Miss Reena Singh, Advocate.
For Non-Applicant	: Ms. Fouzia Mirza, Additional AG with Shri Adil Minhaj, Govt. Advocate.

Proceeding Through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****02/09/2020 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.136/2019 registered in Police Station Janakpur, District Koriya for offence under Sections 366, 376 & 323 of the IPC; Section 6 of the Protection of Children from Sexual Offences Act, 2012.
2. The applicant and the prosecutrix belong to *Baiga* Tribal community. Though there is allegation of committing forcible sexual intercourse on promise to marry and the prosecutrix was less than 18 years of age on the date of the incident, yet from her deposition (Annexure-A/2), it

appears that the applicant and the prosecutrix were in love and she lived with the applicant for about one and half years i.e. from May, 2018 to September, 2019 but thereafter the applicant's parents did not agree for their marriage which led to present FIR.

3. Considering all the relevant aspects of the matter particularly for the fact that the applicant is in jail since 30.9.2019 and charge sheet has already been filed, this Court is inclined to release the applicant on bail.
4. Accordingly, the 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/-
Judge
(Prashant Kumar Mishra)