

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5064 of 2020

- Haridas Manikpuri, S/o Shri Vishnu Manikpuri, Aged About 21 Years, R/o Chirrapali, Thana and Tehsil Saraipali, District Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through The Police Station Saraipali, District Mahasamund, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Ms. Sharmila Singhai, Advocate
Ms. Fouzia Mirza, Addl. AG

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

29/09/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.145/2020, registered at Police Station Saraipali, District Mahasamund (C.G.) for the offence punishable under Section 376 of the IPC and Section 6 of the POCSO Act.
2. The prosecutrix got acquainted with the accused in the year 2015 and thereafter their sexual relation started in the year 2016, which continued till 2018 when they eloped and later on returned to the village and a panchayat meeting was convened. Thereafter they started residing together but the accused refused to marry

her. After brief separation, the prosecutrix again went to the accused and they again started residing together, however, once again the accused refused to marry her sometimes in April, 2020, whereafter the FIR was lodged.

3. The date of birth of the prosecutrix is 16.04.1999. Thus, she was more than 18 years of age on the date of FIR.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the entire facts situation of the case, this Court is inclined to release the applicant on bail.
6. 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