

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5272 of 2020

- Rakesh Verma, S/o Shri Bhagela Ram, Aged About 21 Years, R/o Village Kusmi, P.S. Palari Tahsil Palari and District Balodabazar Bhatapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O. Jamul, District Durg, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Dheerendra Pandey, Advocate
Shri Vikram Sharma, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

17/09/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.601/2019, registered at Police Station Jamul, District Durg (C.G.) for the offence punishable under Sections 363, 366 & 376 of IPC and Sections 4 & 6 of the POCSO Act.
2. The applicant and the prosecutrix are residents of same village. For a period of about 2 years prior to the date of incident, they were connected over mobile phone having a love affair. On the date of elopement, the prosecutrix herself called the applicant and thereafter they went to Raipur and thereafter Bilaspur. Here

they performed marriage at a temple and then proceeded to Maharashtra. They returned to their native village on 22.06.2020 and were quarantined. During this time, the girl was recovered.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the statement of the prosecutrix recorded under Section 164 of CrPC clearly stating an affair with the applicant and carrying pregnancy of about 22 weeks when her 164 CrPC statement was recorded, 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