

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5244 of 2020

- Nikhil Kumar Bhaskar, S/o Padum Lal Bhaskar, Aged About 25 Years, R/o Village Kathapali (Dongri), Police Station Baloda, District Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station- Baloda, District- Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri N. K. Chatterjee, 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.220/2018, registered at Police Station Baloda, District Janjgir-Champa (C.G.) for the offence punishable under Sections 363, 366 & 376 of IPC and Sections 4 & 6 of the POCSO Act.
2. The prosecutrix and the applicant are residents of the same village. As per her 164 CrPC statement recorded on 10.07.2020, they eloped and went to Chennai, performed marriage at a temple and were residing together. At that time, the applicant was working in a tea garden. When she carried pregnancy, they were returning to their native village, but during train journey, she

aborted. When this statement was recorded, she was again carrying pregnancy of about 4 months. The prosecutrix is presently residing in the house of the applicant.

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, 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