

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5336 of 2020**

1. Sushil Yadav, S/o Mannu Yadav, aged about 25 years, R/o Village Tulsi Baradera, Post Office & Police Station Mandir Housad, Raipur, District Raipur (CG) (Cause title as per arrest memo of the charge sheet due to non-mentioning the details of the Applicant of the cause title in the impugned/rejection order)

---- Applicant

Versus

- State Of Chhattisgarh, Through - The Station House Officer, Police Station Fingeshwar, District Gariyaband (CG)

---- Non-Applicant

For Applicant : Shri Shivendu Pandya, Advocate.
 For Non-Applicant : Shri Vimlesh Bajpai, Govt. Advocate.
 For Objector : Shri Govind Dewangan, Advocate.

Proceeding Through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****19/10/2020 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.231/2019 registered in Police Station Fingeshwar, District Gariyaband, for offence under Section 363, 366 & 376 of the IPC and Section 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Although the prosecutrix is aged about 15 years 4 months, yet she appears not only to have an affair with the applicant but has also performed marriage and has a child from the said wedlock. Crime has been registered for the reason that the father of the prosecutrix has

lodged FIR when they eloped. Certificate (Annexure-A/5) issued by the District Programme Officer, Woman and Child Development Department, Raipur certifies that the prosecutrix and the applicant have married on 25.2.2020 under the Mukhyamantri Kanya Vivah Yojna.

3. Today also, Shri Govind Dewangan, learned counsel for the prosecutrix appears in response to the notice issued to her by this Court and would plead no objection in releasing the applicant on bail.
4. Considering the entire fact situation of the case, particularly the fact that both the families have accepted the marriage between the applicant and the prosecutrix, this Court is inclined to release the applicant on bail.
5. 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)