

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5792 of 2020

- Omprakash @ Golu Sahu, S/o Shri Ramesh Sahu, Aged About 23 Years, Resident of Jhiriya, P. S. Arjuni, District – Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Officer Incharge of Police Station Arjuni, Distt.- Dhamtari, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Malay Jain, Advocate
Shri Gagan Tiwari, Dy. GA

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

21/09/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.272/2019, registered at Police Station Arjuni, District Dhamtari (C.G.) for the offence punishable under Sections 363, 366 & 376 of the IPC and Sections 4 & 6 of the POCSO Act.
2. The prosecutrix, aged more than 16 years on the date of offence i.e. on 04.11.2019, states to be having an affair with the applicant, due to which they eloped on 04.11.2019, went to Raipur and performed marriage at Banjari Temple. Thereafter they went to Kondagaon and stayed together for about 8 months. During this time, the applicant was earning livelihood. As on

22.07.2020, she was carrying pregnancy of about 5 months.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the statement of the prosecutrix and for the fact that the applicant is in jail since 09.07.2020, 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