

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5802 of 2020

- Dupendra @ Duppu Sen, S/o Devanand Sen, Aged About 19 Years, R/o - School Para, Bhanpuri, Police Station - Arjuni, Tahsil and District – Dhamtari, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh, Through Police Station - Arjuni, District – Dhamtari, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Satish Gupta, Advocate
Ms. Fouzia Mirza, Addl. AG

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.241/2020, registered at Police Station Arjuni, District Dhamtari (C.G.) for the offence punishable under Sections 363, 366 & 376 of IPC and Section 4 of the POCSO Act.
2. The prosecutrix, aged more than 16 years, lodged FIR on 06.06.2020 alleging that the applicant committed forcible sexual intercourse during the intervening night of 4th and 5th June, 2020. From her statement recorded under Section 164 of CrPC, it appears that she had an affair with the applicant and she herself had gone to meet the applicant at the place of occurrence,

however, when they were returning, one villager Dada Bhupesh Sahu saw them and thereafter the FIR was lodged.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the entire facts situation of the case and for the fact that the applicant is in jail since 07.06.2020 and the charge sheet has already been filed, 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