

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5844 of 2020**

- Nehru S/o Bandhan Sai Aged About 30 Years R/o Village Kaya, P.S. And Tahsil Gharghoda, District Raigarh, Civil And Revenue District Raigarh, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Officer-In-Charge Police Station- Dharamjaigarh, District Raigarh, Chhattisgarh

---- Respondent

For Applicant	Mr. Ashutosh Mishra, Advocate
For Respondent/State	Ms. Fouzia Mirza, Additional Advocate General
For complainant	Mr. Kapil Maini, Advocate

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****21/9/2020**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.310/2017 registered at Police Station Dharamjaigarh, District Raigarh (CG) for the offence punishable under Sections 363, 366, 376 of the IPC and Sections 4 & 6 of the Protection of Children From Sexual offences Act, 2012.

3. The applicant and the prosecutrix eloped on 2.11.2017, performed marriage and started residing at village Salhepali District Raigarh. During lock-down, they returned to their native place and the prosecutrix was recovered from the applicant's possession on 13.6.2020. In her statement under Section 164 of Cr.PC, the prosecutrix has narrated the details of their relationship including performance of marriage and staying together as husband and wife. She also says that she is carrying pregnancy from the applicant.
4. Mr. Kapil Maini, learned counsel for the complainant, would also submit that the prosecutrix has married with the applicant and she has no objection if the bail is allowed to the applicant.
5. Considering the entire facts situation of this case, this Court is inclined to release the applicant on regular bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in 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.
7. Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge

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