

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5990 of 2020**

- Mithun Nishad, aged about 22 years, S/o Chamrun Nishad, R/o Ward No.15, Tilda Nevra, District Raipur, Police Station Tilda Nevra, District Raipur (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, P.S. Tilda Nevra, District Raipur, Chhattisgarh

---- Non-Applicant

For Applicant : Shri Shobhit Mishra, Advocate.
For Non-Applicant : Shri KK Singh, Govt. Advocate.

Proceeding Through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****05/10/2020 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.162/2019 registered in Police Station Tilda, Nevra, District Raipur for offence under Section 363, 366, 376 of the IPC and Section 4 & 6 of the POCSO Act, 2012.
2. The applicant abducted the prosecutrix and committed sexual intercourse on promise to marry.
3. From the material available in the case diary, it appears that the applicant and the prosecutrix came to Raipur on 5.4.2019 and thereafter

they proceeded to earn livelihood to Pune (Maharashtra) where they stayed together till January, 2020 and performed marriage. She has already delivered a baby boy on 7.2.2020.

4. The prosecutrix appears before the Court today from the High Court Help Desk. She stated that she has performed marriage with the applicant and desirous to stay with him, as she has already married him. She categorically stated that she wants the applicant to be released on bail. The prosecutrix was aged about 17 years on the date of offence.
5. Considering the entire fact situation of the case, particularly the fact that the applicant is in jail since 26.6.2020 and the prosecutrix wants him to be released on bail, this Court is inclined to release the applicant on bail.
6. 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)