

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5662 of 2020

- Kuldeep Kumar Surywanshi, S/o Ramprasad, Aged About 23 Years, Residence of Village Udayband, Thana Kotwali Janjgir, District Janjgir Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station – Kotwali, Janjgir, District- Janjgir-Champa, 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.110/2019, registered at Police Station Kotwali, Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Sections 363, 366 & 376 (2) (n) of the IPC and Sections 4 & 5/Tha/6 of the POCSO Act.
2. The applicant and the prosecutrix eloped on 10.02.2019. The prosecutrix's father lodged FIR on 19.02.2019.
3. As per 164 CrPC statement of the prosecutrix, she had an affair with the applicant, therefore, they eloped, went to New Delhi and

performed marriage at a temple and started residing as husband and wife. They returned to the applicant's residence in November, 2019 and since thereafter were residing together. She was recovered from the applicant's house on 21.06.2020. She delivered a baby girl on 19.12.2019.

4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the entire facts situation of the case, particularly the statement of the prosecutrix recorded under Section 164 of CrPC, this Court is inclined to release the applicant on bail.
6. 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