

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5694 of 2020

- Vinay Sharma, S/o Subhash Sharma, Aged About 21 Years, R/o Village Dhanroop Nagar, Police Station Rajgarh, District Churu, Rajasthan

---- Applicant

Versus

- State Of Chhattisgarh Acting Through Officer-In-Charge, Police Station Maudahapara, Civil and Revenue District Raipur, Chhattisgarh

---- Respondent

For Applicant	Shri K. A. Ansari, Senior Advocate along with Shri Aman Ansari, Advocate
For Respondent	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.18/2020, registered at Police Station Maudahapara, Civil and Revenue District Raipur for the offence punishable under Sections 363, 366 & 376 of the IPC and Sections 4 & 6 of the POCSO Act.
2. From the 161 CrPC statement of the prosecutrix, it appears that she had an affair with the applicant and on pursuance of the applicant, she boarded a train at Raipur and went to New Delhi

alone. The applicant met her at New Delhi Railway Station and thereafter they went to Rajasthan where the applicant allegedly committed sexual intercourse on promise to marry, however, in her 164 CrPC statement, she does not make any statement about commission of rape.

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 04.03.2020 and the charge sheet has already been filed, as also her statement under Section 164 of CrPC, 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