

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6110 of 2020

- Rahul Banjare, S/o Shriram Banjare, Aged About 21 Years, R/o Atal Awas, Ghughri Road Kawardha, Police Station Kawardha, District Kabirdham, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kawardha, District Kabirdham, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Dharmesh Shrivastava, Advocate
Ms. Fouzia Mirza, Addl. AG

Proceeding through Video Conferencing

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board

22/09/2020

1. The applicant has preferred this bail application under Section 439 of the CrPC, as he has been arrested in connection with Crime No.393/2020, registered at Police Station Kawardha, District Kabirdham (C.G.) for the offence punishable under Section 376 (2) (n) of the IPC and Sections 4 & 6 of the POCSO Act.
2. The applicant allegedly committed forcible sexual intercourse with the prosecutrix for a period of one and half year on promise to marry. The FIR was lodged after the prosecutrix insisted for marriage but the applicant denied. The date of birth of the

prosecutrix is 10.09.2001. Thus, she continued to have sexual intercourse with the applicant after attaining majority.

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 10.08.2020, 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