

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6707 of 2020

- Deepak Kumar Korram, S/o Ganesh Ram Korram, Aged About 21 Years, Residing At Village Malgujarpara Golawand, Police-Station Kondagaon, District-Kondagaon, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Police Station Kondagaon, District Kondagaon Chhattisgarh.

---- Respondent

For Applicant	: Mr. P.K. Tulsyan, Advocate.
For State/respondent	: Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

29/10/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.164/2020 registered at Police-Station-Kondagaon, District-Kondagaon(C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Section 6 of POCSO Act.

2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. The statement of the prosecutrix given under Section 164 of CrPC before the Magistrate clearly shows her consent and willingness in the whole episode. The applicant intends to marry the prosecutrix and lead a married life,

hence, it is prayed that he may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that because of the minority of the prosecutrix any consent or willingness on her part is immaterial. The commission of offence is clearly made out, hence, application be rejected.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, It is alleged that this applicant had acquaintance with the prosecutrix. On 3.6.2020 the applicant enticed the prosecutrix with false promise to marry her and then abducted her. The prosecutrix was kept in his custody for sometime and was exploited sexually on number of occasions. The prosecutrix was found to be having pregnancy of about 6 months at the time when she was recovered.
6. Considered on the submissions and the facts of the case and also the statement given by the prosecutrix under Section 164 of CrPC, I feel inclined to allow the bail application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge