

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6708 of 2020

- Sachin Vishwas S/o Late Shri Jatin Vishwas Aged About 56 Years
R/o Village - P.V. 46, Thana - Pakhanjur, District - North Baster
Kanker Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh, Through The Station House Officer
Police Station - Pakhanjur, District - North Baster Kaker
Chhattisgarh. (Wrongly Mentioned Bhanupratappur In Bail
Rejection Order)

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate

For Respondent : Mr. Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17.12.2020

1. The applicant has preferred this application u/s 439 of Cr.P.C. for grant of bail as he is arrested on 26.07.2020 in connection with Crime No. 82/2020 registered at Police Station Pakhanjur District North Baster Kanker (C.G.) for offence punishable under sections 376, 376 (2) (n), 506, 509-B of IPC and Section 66-E, 67-A of the Information Technology Act, 2000.
2. As per the prosecution case from June, 2019 up till 2020 the applicant committed sexual intercourse with the prosecutrix. The applicant made a video clip of the prosecutrix and on the basis of the video clip continued the sexual exploitation and eventually the report was filed.
3. Learned counsel for the applicant would submit that the prosecutrix is a major lady and she with her won consent developed sexual relation with the applicant and subsequently the report has been

filed. He further submits that charge sheet has been filed, therefore, the applicant may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix.
6. Considering the period which has been lapsed in between the report and the incident, without any observation on the merits, taking into the fact that charge sheet has been filed and no further evidence would be required, I am inclined to grant bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti