

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6735 of 2019**

- Ravi Kumar Patel S/o Kumar Patel Aged About 22 Years R/o Village Tendua Navapara, Police Station Saja, District Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer Saja, District Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

**---- Respondent**

-----  
 For Applicant : Shri Krisha Tandon, Advocate  
 For Respondent/State : Shri Akhtar Hussain, Panel Lawyer  
 Notice issued to the complainant is awaited. But the Prosecutrix is present before this Court.  
 -----

**Hon'ble Smt. Justice Rajani Dubey**  
**Order On Board**

**13.1.2020**

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 19.6.2019 in connection with Crime No.202/2019, registered at Police Station Saja, District Bemetara(CG) for the offence punishable under Sections 363, 366A, 376, 313, 323 & 506 of the IPC and Sections 6 and 12 of the Protection of Children from Sexual Offences Act, 2012.
3. As per the case of prosecution, father of the prosecutrix lodged a report that on the pretext of marriage the applicant committed sexual intercourse with his daughter and when she

became pregnant, he administered medicine to the prosecutrix and aborted the child.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and the prosecutrix left her house and was living with the applicant since last 2 years which is evident from the statements of Sarpanch and Kotwar. He submits that the applicant and the prosecutrix have performed marriage. He further submits that the co-accused, who is mother of the applicant has already been enlarged on anticipatory bail in MCRCA No. 1548/2019, therefore, the applicant may also be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. However, the prosecutrix, who is present before this Court has stated that she has no objection to release the applicant on bail.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and that as stated the applicant and prosecutrix have performed marriage and the prosecutrix has no objection, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.

9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

**(Rajani Dubey)**  
**JUDGE**

sunita