

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 583 of 2021

Lavkesh Satyavanshi S/o Durgesh Satyavanashi Aged About 18 Years R/o Bilaspur Roads Thakurpara, Ward No. 18 Kawardha, Police Station And Tahsil Kawardha District Kabirdham Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For applicant - Shri Pramod Verma, Sr. Advocate with Shri Virendra Verma, Advocate.
For Respondent/State – Smt. Richa Shukla, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/05/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.721/2020 registered in Police Station Kawardha, Civil and Revenue District Kabirdham (C.G.) for offence punishable under sections 363, 366 and 376 of IPC and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 9/12/2020 the applicant enticed away the minor girl from the lawful custody of her parents and committed sexual intercourse and the girl was recovered from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is aged about 18 years and 30 days and the girl was also in love affair with the applicant and statement under Section 164 of Cr.P.C. would show that she herself went alongwith the applicant and she did not want to return to her parents and more so it was child adventure, applicant is in jail since

20/12/2020, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and would submit that the victim is minor.

5. After consideration of the statement of the girl under Section 164 of Cr.P.C. and after looking to the circumstances and the age of the applicant and the applicant is in jail from December, 2020, no further investigation is necessary, this court is inclined to release the applicant on bail.

6. 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.

7. In view of the above, I.A. No.01/2021 application for urgent hearing and I.A. No.02/2021 application for hearing the case during summer vacation stand disposed of.

Sd/-

(Goutam Bhaduri)

Vacation Judge