

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1556 of 2021**

Dharmendra Jangde S/o Shri Khorbahra Jangde Aged About 22 Years R/o Devgaon P/s Gidhpuri District Balodabazar Civil And Revenue District Balodabazar Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Kharora Raipur Chhattisgarh, District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Ajay Mishra, Advocate.
For the Respondent/State : Shri Ashish Tiwari, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****07.06.2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.455 of 2019, registered at Police Station – Kharora, District – Raipur, Chhattisgarh for the offence punishable under Sections 363, 366 and 376 (3) of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The prosecutrix was not minor and there had been consensual relationship between the applicant and the prosecutrix. The prosecutrix became pregnant, given birth to a child and she is living with

the family of the applicant. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. Looking to the evidence present in the case-diary, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, it is alleged that this applicant abducted the minor prosecutrix of age below 18 years, kept her in his custody and also performed sham marriage with her. Thereafter, he continuously exploited the minor prosecutrix sexually, which is resulted in her pregnancy.

6. Considered the submissions and the documents present in this case. Looking to the statement of no objection from the prosecutrix side, I feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nimmi