

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4110 of 2021**

- Dhameshwar Ghumra, S/o Ramesh Ghumra, Aged About 23 Years Caste Halba - Gond, R/o Village Shahakatta, Police Station Antagarh, District North Bastar Kanker (C.G.) (Applicant Age, Surname And Police Station Are Wrongly Mentioned In Flag Of The Order Sheet)

---- Applicant

Versus

- The State Of Chhattisgarh, Through - Station House Officer, Police Station Kanker, District North Bastar Kanker Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Amit Kumar Sahu, Advocate
For Respondent-State	:-	Mr. Vikram Sharma, Dy.G.A.

Proceedings through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag.CJ**
Order On Board**05/08/2021**

1. The applicant has preferred this bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.108/2021 registered in Police Station Kanker, District North Bastar Kanker C.G. for

the offence punishable under Sections 376, 376(2)(m), 506 of the I.P.C.

2. Applicant and prosecutrix developed friendship from the year 2019 when she was studying at Veterinary college, Jagdalpur. Due to closure of the college, on account of lockdown during pandemic, she came to Kanker and stayed in the house of her sister, who is a constable. As per her allegation when her sister used to be out of the house in connection with her duties, the applicant frequently visited her house and performed sexual intercourse, on promise to marry. She became pregnant in January, 2021 which became known to her parents whereafter she was left in the house of the present applicant where she aborted the foetus on the advice of the present applicant though she was not willing to abort.
3. Learned State counsel would oppose the prayer for grant of bail.
4. Considering the nature of allegation as also for the fact that prosecutrix is more than 18 years of age; the applicant is in jail since 07.5.2021 and the charge sheet has already been filed, I am inclined to release the applicant on bail.
5. Accordingly, the application is allowed and the applicant is directed to be released on bail on executing a personal bond

for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Ayushi