

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

**MCRC No. 6062 of 2021**

Mangal Singh **Versus** State Of Chhattisgarh

|            |                                                                                                                                                                                                                                                                                                                                                                      |
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|            |                                                                                                                                                                                                                                                                                                                                                                      |
| 15/09/2021 | <p>None for the applicant.</p> <p>Shri Sameer Oraon, Govt. Advocate for the State.</p> <p>The prosecutrix is virtually present through TLSA Manendragarh, District Koriya. She has no objection in grant of bail to the applicant.</p> <p>Put up this case later on.</p> <p style="text-align: right;">Sd/-<br/><b>(Rajendra Chandra Singh Samant)</b><br/>Judge</p> |

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6062 of 2021**

- Mangal Singh S/o Ram Prasad, Aged About 20 Years, R/o Village-Barampur Jhapi Mahuwa, Police Station- Khadgawa, District- Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police of Police Station Jhagrakhand, District - Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

**----Non-applicant**

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For Applicant – Shri Anil Gulati, Advocate.

For Non-applicant/State – Shri Sameer Oraon, Govt. Advocate.

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

**Order on Board**

**15-09-2021**

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 01-06-2021 in connection with Crime No.121/2021 registered at P.S. - Jhagrakhand, District - Koriya, Chhattisgarh for the offence under Section 363, 366, 376(2)(ढ) of the IPC and Section 4, 6 of Protection of Children from Sexual Offences Act.

2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated. He is in jail since 01-06-2021. The statement of the prosecutrix under Section 161 and 164 of the Cr.P.C. clearly reflects that there was affair of the prosecutrix with the applicant, because of which she left her parental house and stayed with the applicant in his own house where the physical relation was established consensually. Therefore, there is no case present against the applicant. Hence, it is prayed that this applicant be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that the prosecutrix was minor, therefore, her consent and

willingness is immaterial. Hence, the application may be rejected.

4. The prosecutrix had virtually appeared through Help Desk of TLSA Manendragarh and she has made statement of no objection in grant of bail to the applicant.

5. Heard learned counsel for the parties and perused the case diary.

6. According to the prosecution case, this applicant allured the minor prosecutrix with promise to marry her and then after abducting her he took her to his own house where keeping her in his custody, he exploited her sexually on more than one occasions until she was recovered by the police.

7. Considered on the submissions. Looking to the statement given by the prosecutrix in the investigation, I am of this view that this applicant should be granted bail.

8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-  
**(Rajendra Chandra Singh Samant)**  
**Judge**