

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6352 of 2021**

- Ashok Netam S/o Late Narendra Netam Aged About 26 Years By Caste Gond, R/o Village Sulangi , Thana Koilibeda, Tahsil Pakhanjore, District Uttar Baster Kanker Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Koilibeda District Uttar Bastar Kanker Chhattisgarh

---- Respondent

For Applicant : Shri Parag Kotecha, Advocate

For Respondent/State : Shri Ragvendra Verma, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/12/2021**

- This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 25.02.2020 in connection with Crime No. 4/2020 registered at Police Station Koilibeda Dist. U.B. Kanker for the offence punishable under Section 363, 366, 368, 376 (2) (n) 506 (part II) of IPC and Section 6 of POCSO.
- As per the prosecution case, the applicant who is a married man enticed away the girl and on the pretext of marriage committed sexual intercourse and thus the offence was committed.
- Learned counsel for the applicant submits that the victim was in known of the fact that the applicant was a married man though was in love

affair with him and no forceful sexual intercourse was committed, therefore the present applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. The victim along with father appeared before this court and strongly objected for grant of bail.
6. Heard learned counsel for the parties and perused the records.
7. Considering the statement of the victim and the objection raised, I am not inclined to grant bail.
8. Accordingly, the bail application is rejected.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti