

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7078 of 2021**

Ritesh Kumar Sahu S/o Vishnu Prasad Sahu Aged About 23 Years  
R/o Bhatapara, Dongariya Road, Village - Kodiya, Police Station -  
Nandininagar, District - Durg, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through The Station House Officer, Police  
Station Nandininagar, Durg, District - Durg, Chhattisgarh.

**---- Respondent**

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For applicant - Shri Punit Ruparel, Advocate.  
For Respondent/State – Shri Ajay Kumrani, PL.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**10/12/2021**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.230/2020 registered in Police Station Nandininagar, Durg District Durg (C.G.) for offence punishable under sections 363, 366, 376(2)(n) of Indian Penal Code and Section 5(L), 6 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, the applicant enticed away the minor girl from the lawful custody of her parents and kept her in captivity at Pune. She was recovered on 6/06/2021 as against the missing report which was lodged on 12/10/2020. It is further case of the prosecution that she was subjected to forceful sexual intercourse against her wish.
3. Learned counsel for the applicant submits that when the incident happened she was more than 17 years and she was consenting party and voluntarily was residing alongwith the applicant and no offence is made out, therefore the applicant may be released on bail.
4. The victim appeared alongwith her father in person before this Court and objected to grant of bail to the applicant on 25/10/2021.

5. Learned State counsel opposes the prayer for grant of bail.
6. Perused the statement of the prosecutrix. Having examined the statement of the prosecutrix, this court is not inclined to release the applicant on bail.
7. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE