

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7538 of 2021**

- Subhash Painkra S/o Fitla Painkra Aged About 20 Years (Wrongly Mentioned In Order Sheet As Fitlu Painkra) R/o Village Hargawan, (Tongripara), Police Station Shankargarh, District Balrampur-Ramanujganj, Chhattisgarh.

----Applicant**Versus**

- State Of Chhattisgarh Through Police Station Shankargarh, District Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant : Shri Pushkar Sinha, Advocate

For Respondents/State : Shri Raghvendra Verma, GA

For Objector : Shri Ajay Mishra, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****14/12/2021**

1. Heard.
2. 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 07.04.2021 in connection with Crime No.56/2021 registered at Police Station Shankargarh, District Balrampur-Ramanujganj (CG) for the offence punishable under Sections 363, 366, 376 (2) (n), 417 of I.P.C. & Sections 4 & 6 of POCSO Act.
3. As per the prosecution case, on 28.03.2021 the applicant enticed away the minor girl from the lawful custody of the parents and thereafter on the pretext of

marriage committed forceful sexual intercourse. Thereby the offence has been committed.

4. Learned counsel for the applicant submits that it is a case of love affair and the applicant and the prosecutrix have settled the issue and they are going to be married, therefore, the applicant may be released on bail.
5. Learned counsel for the objector would submit that they have no objection if the applicant is enlarged on bail.
6. Per contra, learned State counsel opposes the prayer for grant of bail.
7. Considering the submission of the objector that they have no objection to grant bail to the applicant and it is a case of love affair, I am inclined to release the applicant on bail.
8. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum 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.

Sd/-

Goutam Bhaduri
Judge

Ashu