

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8468 of 2021

Vikas Ekka S/o Shri Dhangir Ekka, Aged About 23 Years, by caste Uraon R/o Village - Guturma Samratpara, Thana And Tahsil - Seetapur, District Surguja Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station - Patthalgaon, District-Jashpur Chhattiagarh.

---- Respondent

For applicant - Shri Sunil Sahu, Advocate.
For Respondent/State – Smt. Hamida Siddiqui, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

15/12/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.213/2021 registered in Police Station Patthalgaon, Distt. Jashpur C.G.) for offence punishable under sections 363, 313, 376 of Indian Penal Code and Section 04, 06 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made on 22/09/2021 that on 11/11/2016 on the pretext of marriage the applicant enticed away the minor girl, thereafter committed forceful sexual intercourse, when she became pregnant she was aborted forcefully, thereby offence is committed.
3. Learned counsel for the applicant submits that the applicant and the victim were in love relation which would be evident from the no objection which was recorded before the court on 29/11/2021. He submits that charge sheet has been filed, no further investigation is necessary, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Order sheet dated 29/11/2021 would show that victim and her father not objected to the grant of bail. Considering the age of the prosecutrix at the time of incident and no objection which has been recorded before the court, charge sheet has been filed, no further investigation would be necessary, therefore this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE