

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8978 of 2021**

Rijwaan Ali S/o Shri Kasim Ali Aged About 21 Years R/o
 Nauvva Gaon P. S. Dhanekar District Gonda, Uttar Pradesh
 Presently R/o Mana Basti Near Raipur Kabadi P. S. Mana
 Raipur Civil And Revenue District Raipur Chhattisgarh
---- Applicant

Versus

State of Chhattisgarh through P. S. Purani Basti District
 Raipur Chhattisgarh **---- Respondent**

For the applicant	: Mr. Ajay Mishra, Advocate.
For the Respondent	: Ms. Akshara Amit, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****09.12.2021**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 181/2020 registered at Police Station Purani Basti, Raipur, Chhattisgarh (C.G) for the offences punishable under Sections 363, 366, 376, 376(2)(N) of the IPC and section 6 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, on 29.06.2020, the applicant enticed away a minor girl from the lawful custody of her parents and thereafter committed forcible sexual intercourse on the pretext of marriage.
3. Learned counsel for the applicant submits that the victim is not a minor girl and the prosecutrix is a consenting party, therefore, no offence has been committed.
4. The victim along-with father Jitendra Kurre appeared in

person before this Court and submit that the applicant may be enlarged on bail.

5. Per contra, learned State Counsel opposes the bail application.
 6. Considering the facts and circumstances of the case and the victim girl and her father have supported the fact that the applicant may be enlarged on bail, I am inclined to allow this bail application.
 7. Accordingly, the bail 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 concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE