

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 1619 of 2021**

- Ashish Sahu S/o Girdhari Aged About 23 Years R/o Amdiha Nawapara Chowki Wadrafnagar, P. S. Basantpur, District Balrampur Chhattisgarh

---- Appellant**Versus**

- State Of Chhattisgarh Through Station House Officer, P. S. Ajak Ambikapur, District Surguja Chhattisgarh

---- Respondent

For Appellant	:	Shri Hariom Rai, Advocate
For Respondents/State	:	Shri Sanjay Pathak, PL
For Complainant	:	Shri Gyanendra Chaturvedi, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****15/12/2021**

1. Heard.
2. The present appeal is arising out of order dated 29.11.2021 passed by the Special Judge (Atrocities), Ambikapur, District Surguja in B.P. No. 1084/2021.
3. The appellant has preferred this appeal for grant of bail as he is arrested in connection with Crime No.25/2021 registered in Police Station AJAK Ambikapur, District Surguja (C.G.) for offence punishable under section 376 (2) (n) of Indian Penal Code, 1860 and under Section 3(2)(V) of the Scheduled Castes, Scheduled Tribes (Prevention of Atrocities) Act.
4. As per the prosecution case, the appellant enticed away the girl on the pretext

of marriage and thereafter committed forceful sexual intercourse on 03rd July, 2020 and subsequently refused to marry.

5. Learned counsel for the appellant would submit that the prosecutrix is married with the present appellant and she do not object to grant of bail to the appellant, therefore, the appellant may be enlarged on bail.
6. The prosecutrix is present before the Court, who is identified by Shri Gyanendra Chaturvedi, Advocate from Ambikapur and she has submitted that she do not object to grant of bail to the appellant and she is living in in-laws place.
7. Perused the statement of the prosecutrix. Considering the same and the statement made by the prosecutrix before this Court that she is married with the appellant, I am inclined to allow this appeal.
8. Accordingly, the order impugned passed by the Court below is set aside.
9. The appellant 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