

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 315 of 2016

- Golu @ Lekhram Suryawanshi S/o Ganesh Ram Suryawanshi
Aged About 20 Years R/o Village Harduli Para Bitkula, P.S.
Sipat, District Bilaspur, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, P.S.
Sipat, Civil & Rev. Distt. Bilaspur, Chhattisgarh.

---- **Respondent**

For the applicant	:	Mr. Manoj Jaiswal, Advocate
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 157 of 2015 registered at P.S. Sipat, District Bilaspur (C.G) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 3 & 4 of the Protection of children from Sexual Offences Act, 2012.
2. As per the prosecution, a report was made by the prosecutrix that the applicant enticed and took her away and on the pretext of marriage he committed forcible sexual intercourse with her.
3. Learned counsel for the applicant submits that the victim has been examined before the Court wherein she has not supported the case of prosecution. Certified copy of the statement of the victim girl is placed on record. He further submits that the charge sheet in this case has been filed and

the applicant is in jail since 29.07.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the statement of the prosecutrix wherein she has not supported the case of prosecution.
6. Taking into such statement of prosecutrix wherein she has not supported the case of prosecution and also considering the fact that the charge sheet in this case has been filed and looking to the period of detention as the applicant is stated to be in jail since 29.7.2015, I am inclined to release him on bail. Accordingly, this application is allowed.
7. 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. He is directed to appear before the trial Court as and when directed by the said Court.
8. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE