

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2523 of 2016

1. Rakesh Verma @ R.K., S/o. Shri Sheony @ Ram Kalyan Verma, aged about 22 years, R/o. Gangwada, Police Station – Bochhi, District-Sawayee Madhopur, Rajasthan, presently resident at Tok Fatak, behind Pink City, P.S. Sanganer, Distric-Jaipur, Rajsthan.

----Applicant

Versus

1. State of Chhattisgarh, Through : the S.H.O., Police Station – Telibandha, Raipur, District – Raipur (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/06/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.349/2015, registered at Police Station – Telibandha, District – Raipur (C.G.) for the offence punishable under Section 363, 366, 376 (2)($<$) of Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that a report was made by the father of girl/victim that his minor girl has been missing from 15.09.2015. Subsequently, the girl was found on 16.10.2015 and thereafter after investigation, the offence has been registered.
3. Learned counsel for the applicant submits that the girl/victim was

stated to be 17 years and 8 months and she was able to understand her welfare and she was in love relation with the applicant and she has not supported the case of the prosecution before the Court as would be evident from Annexure A/2, therefore, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to dispute the fact that the prosecutrix has not supported the case of the prosecution.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement of the girl and her father, wherein they have not supported the case of the prosecution. Taking into the statements without any observation on merit, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge