

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4619 of 2016

Shrikant Vishwakarma S/o Late Parbal Vishwakarma Aged About 40 Years R/o Village Andi, Chouki Halba, P.S. Narharpur, Civil & Revenue District North Bastar Kanker, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Narharpur, District North Bastar Kanker, Chhattisgarh.

---- Respondent

For applicant - Shri Sandeep Shrivastava, Advocate.
For Respondent/State –Shri Vinod Tekam, Pl.

Hon'ble Shri Justice Goutam Bhaduri

Order

17/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.42/15 registered in Police Station Narharpur, Distt. Kanker for offence punishable under section 363, 366, 450, 376 of IPC & 4, 6, 12 of the Prevention of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, the applicant enticed the minor girl, took her away from the lawful guardianship of her partents for which a report was made on 24/02/2015 and after recovery of the girl and on investigation it was found that offence was sought to have been committed by the applicant.
3. Learned counsel for the applicant submits that the prosecutrix has been examined before the court and she has not supported the case of the prosecution, therefore no allegation can be attributed to the applicant and the applicant may be released on bail.
4. Learned State counsel is not able to the dispute the fact that the prosecutrix has turned hostile.

5. Perused the statement of the prosecutrix. After going through the statement, without further observation on the merits, 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