

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7678 of 2016

- Lalchand S/o Bhagone Ram Aged About 22 Years R/o Berari, Police Station Lalitpur, District Lalitpur (Uttar Pradesh)

---- Applicant

Versus

- State Of Chhattisgarh Through : Station House Officer, Police Of Police Station - Khadgawa, District - Korea Chhattisgarh

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate
For Respondent/State	:	Mr. Manish Nigam, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

05/12/2016

1. The applicant has been arrested in connection with Crime No. 133 of 2015 registered in Police Station- Khadgawa, District- Korea (C.G.) for the alleged commission of offence under Sections 363, 366, 373, 376(2)(N) of the IPC and Sections 4, 6 & 10 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant kidnapped the prosecutrix and thereafter, committed rape on her, who is stated to be minor in age.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, he has not committed any offence and the prosecutrix, in the examination before the Court, has stated that the applicant committed no rape on her.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Taking into consideration the submission of learned counsel for the parties and the material on record, having perused the case diary, particularly, taking into consideration that the prosecutrix, most important witness of the prosecution, has already been examined as also the submission that she has not supported the case of the prosecution, the application is allowed.

6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:

- (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra