

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7607 of 2015

Hanif Ansari, S/o. Meharuddin Ansari, Aged About 20 Years, R/o. Ramnagar Chowki, Wadrafnagar, P.S. Basantpur, Distt. Balrampur-Ramanujganj, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, P.S. Raghunathnagar, Distt. Balrampur -Ramanujganj, Chhattisgarh

---- Respondent

For Applicant : Mr. Jitendra Shrivastava, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.01.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.54/2014, registered at Police Station— Raghunathnagar, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 363, 366 (क), 376 (2) ढ & 506-B of the Indian Penal Code and Section 4 of the POCSO Act, 2012.
2. Case of the prosecution, in brief, is that on 13.09.2014 the applicant enticed the victim and took her away on the pretext of marriage and subsequently committed sexual intercourse with her, thereby the offence has been committed.
3. Learned counsel for the applicant submits that the prosecutrix and her father has been examined and they have not supported the case of the prosecution. He relied on the statement of the

prosecutrix which is placed on record and submits that the applicant has been falsely implicated in this case, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the statement of the prosecutrix and his father wherein they have not supported the case of the prosecution, therefore, considering the fact that the prosecutrix and her father has not supported the case of the prosecution, I am inclined to release the applicant on 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