

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4008 of 2016

- Vedram Chakradhari S/o Shyamlal Chakradhari Aged About 19 Years R/o Village Jheet, P.S. Amleshwar, District Durg, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Amleshwar, District Durg, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Avinash Chand Sahu, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 121 of 2014 registered at P.S. Amleshwar, Distt. Durg (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 case, on 18.11.2014 a report was made by the father of prosecutrix namely Govind Ram Patel that his minor daughter went missing from 14.11.2014. Subsequently when she came on 25.01.2015, she was recovered from the possession of the applicant and it is alleged that the applicant has enticed away the minor girl and committed forcible sexual intercourse with her.
3. Learned counsel for the applicant would submit that the girl has been examined and she has not supported the case of prosecution, therefore, no case is made out against the

applicant. He further submits that the girl went along-with the applicant of her own and both the applicant and the girl have performed marriage, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of the girl which shows that she has not supported the case of prosecution.
6. Taking into consideration such statement of the prosecutrix, without making any observation on merits of the case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and 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 shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE