

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7436 of 2015

Bhushan Lal Sahu S/o Ramesh Sahu Aged About 20 Years R/o
Dharam Nagar, Near Narendra Kirana Store, P.S. - Tikrapara, Distt.
Raipur Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Tikrapara, Distt. Raipur Chhattisgarh.

---- Respondent

For applicant - Shri Awadh Tripathi, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/01/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 282/2015 registered in Police Station Tikrapara, Distt. Raipur (C.G.) for offence punishable under section 376 of IPC and Section 3 & 4 of POCSO Act.
2. As per the prosecution case on 6/05/2015 at about 2 o'clock the applicant caught hold of the prosecutrix and dragged her towards the house and thereafter committed forceful rape on her. Subsequently, FIR was lodged on 26/05/2015.
3. Learned counsel for the applicant submits that prosecutrix and her mother has been examined in this case and they have not supported the case of the prosecution. He placed reliance on the statement which is filed before court and prays for release of the applicant on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix and her mother wherein she has not supported the case of the prosecution. Considering the fact

prosecutrix has not supported the case of the prosecution prima facie without any observation on merit, 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.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE