

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5051 of 2016

Sabal Yadav S/o Harikishun Yadav, Aged About 33 Years, R/o Kankadbag, Police Station Kankadbag, Police Station Patna, Bihar, Presently R/o At Taparkela, Sarpanch Para, Police Station Darima, District Surguja Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Ajak, Ambikapur, District Surguja Chhattisgarh.

---- Respondent

For applicant - Shri Amarnath Pandey, Advocate.
For Respondent/State – Shri Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

31/08/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.06/2015 registered in Police Station Ajak Ambikapur District Surguja (C.G.) for offence punishable under section 376 of IPC and Section 3(2-5) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act and Section 3, 4 of Protection of Children from Sexual Offences Act, 2012 (wrongly written as section 3(A)/4 in the order of court below).
2. As per the prosecution case, on 25/08/2015 the applicant after administration of the medicines committed sexual intercourse with the prosecutrix. Thereby, offence was committed.
3. Learned counsel for the applicant submits that the prosecutrix and her sister have been examined in this case and they have not supported the case of the prosecution and the applicant has been falsely implicated in the case, therefore the applicant may be released on bail.
4. Learned State counsel is not able to dispute the fact that the prosecutrix and her sister have been examined before the court, they

have not supported the case of the prosecution.

5. Taking into fact that the prosecutrix and her sister have not supported the case of the prosecution, 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