

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5481 of 2016**

Sonu Banjare S/o Budhelal Banjare, Aged About 21 Years, R/o Village Aisana, P.S. Tilda, District Raipur Chhattisgarh At Present Village Navapara, Achharidih, P.S. Tumgaon, District Mahasamund Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Amleshwar, District Durg Chhattisgarh

---- Respondent

For applicant - Shri Uttam Pandey, Advocate.

For Respondent/State – Ms. Shobha Kashyap, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****16/09/2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.24/2016 registered in Police Station Amleshwar, District Durg (C.G.) for offence punishable under section 363, 366, 376 of Indian Penal Code and Section 5 (a) & 6 of Protection of Children from Sexual Offences Act-2012.
2. As per the prosecution case, a report was made on 2/03/2016 by the mother of the prosecutrix Smt. Shushila Kurre that on 14/02/2016 her daughter minor girl was enticed away by the applicant. Subsequently, girl was recovered from the house of aunt of the applicant alongwith the applicant and on investigation it revealed that on the pretext of marriage sexual intercourse was committed.
3. Learned counsel for the applicant submits that the prosecutrix and the mother has been examined before the court and they have not supported the case of the prosecution, therefore no offence is made out against the applicant, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the prosecutrix which shows that she has not supported the case of the prosecution. Considering the statement of the prosecutrix and her mother, without further observation on the merits, 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