

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5412 of 2016

Meghnath @ Neeru Yadav, S/o Shiv Yadav, Aged About 21 Years,
R/o Village Biladi, P.S. Nevra, Distt. Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Police Nevra, Distt. Raipur
Chhattisgarh

---- Respondent

For applicant - Shri Ankur Agrawal, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

15/09/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.33/2016 registered in Police Station Nevra, Dist. Raipur for offence punishable under sections 363, 366, 376 (i) of IPC and Section 4 of POCSO.
2. As per the prosecution case, on 31/01/2016 a missing report was made by mother of the victim. Subsequently, when the victim was found, on investigation it revealed that the applicant abducted the minor girl and thereafter committed forceful sexual intercourse. Thereby, offence is committed.
3. Learned counsel for the applicant submits that prosecutrix in this case has been examined and she has not supported the case of the prosecution. He further submits that mother of the prosecutrix has also 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 opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix. Prima facie which shows that she has not supported the case of the prosecution. Considering such

statement, without further observation, 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