

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5513 of 2016**

- Ajay Das S/o Chain Das Khadbadhe Aged About 21 Years R/o  
Resident of Kheri, Police Station Nawagarh, Civil & Revenue District  
Bemetara, Chhattisgarh --- **Petitioner**

**Versus**

- State of Chhattisgarh through the Police Station Nawagarh, District  
Bemetara, Chhattisgarh --- **Respondent**

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| For the applicant  | : | Mr. P.P. Sahu, Advocate        |
| For the Respondent | : | Ms. Shobha Kashyap, Govt. Adv. |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**16.09.2016**

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. 42/2016 registered at P.S. Nawagarh, Distt. Bemetara (C.G) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 5 & 6 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, on 02.03.16 a report was made by the complainant Dujeram Khadbadhe that the applicant has enticed the minor girl on the pretext of marriage and after the girl was recovered from the possession of the applicant it was revealed that the applicant has also committed sexual intercourse.
3. Learned counsel for the applicant would submit that the girl has been examined before the Court and in her statement she has not supported the case of prosecution and the applicant has been falsely implicated in this case, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not able to dispute the fact that the prosecutrix has not supported the case of prosecution.
5. Perused the case diary and other documents.
6. Considering the statement and age of the prosecutrix, without 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**