

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6872 of 2016**

- Narendra Singh S/o Sumer Singh, Aged About 20 Years R/o Lohari, Majharipara, Police Station Podi, District Korea Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Podi, District Korea Chhattisgarh

**---- Respondent**

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| For Applicant        | : | Shri Anil Gulati, Advocate               |
| For Respondent/State | : | Shri Chandresh Shrivastava, Panel Lawyer |

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**S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**07/11/2016**

Heard.

1. The applicant has been arrested in connection with Crime No. 20 of 2016 registered in Police Station- Podi, District- Korea (C.G.) for the alleged commission of offence under Sections 363, 366, 376 (2)(N) of the IPC and Sections 4, 6 & 10 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant kidnapped and committed rape on the prosecutrix, who is minor in age.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated by the prosecution and has not been committed any offence. It is also submitted that the most important witness namely prosecutrix has been examined during the trial and she has not supported the case of the prosecution and has admitted that no sexual intercourse has been committed upon her, therefore, the applicant may be granted bail.
4. On the other hand, learned counsel for the State opposes the bail application by submitting that the applicant has been tried for alleged commission of heinous offence and his release may adversely effect the fair trial and the applicant may abscond also.

5. Taking into consideration that the prosecutrix has already been examined by the Court and further taking into consideration the submission that the prosecutrix has not supported the case of the prosecution and has denied having being subjected to any sexual intercourse and that there is nothing to show that the applicant is likely to abscond, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
  - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
  - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-  
**(Manindra Mohan Shrivastava)**  
Judge