

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8075 of 2016

A. Kanta Rao S/o Shri A. Raghunath Rao Aged About 32 Years R/o Amlidih,
Police Station New Rajendra Nagar, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Nevra, District Raipur,
Chhattisgarh.

---- Respondent

For Applicant	:	Shri J.K. Gupta, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

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

Order On Board

15/12/2016

Heard.

1. The applicant has been arrested in connection with Crime No. 240 of 2016 registered in Police Station- Nevra, District- Raipur (C.G.) for the alleged commission of offence under Sections 363, 366, 376 IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant kidnapped and thereafter committed rape on the prosecutrix who is minor in age.
3. Learned counsel for the applicant submit that the applicant has been falsely implicated in the case. He submits that the prosecutrix, most important witness of the prosecution, has been examined in the Court and she has not supported the case of the prosecution and has not stated regarding any sexual intercourse and also denied suggestion in this regard.
4. On the other hand, learned counsel for the State has opposed the bail application. He submits that the applicant is being tried for serious offence and

therefore when many other witnesses of the prosecution are yet to be examined, the applicant may not be granted bail.

5. Considering the submission made by learned counsel for the parties, particularly taking into consideration the submission of learned counsel for the applicant that the prosecutrix has not supported the case of the prosecution and has stated nothing against the applicant and denied suggestion of any sexual intercourse and that many other prosecution witnesses have already been examined, 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