

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 6720 OF 2017

Nawal Kishore Dongare S/o Shri Bhola Ram Dongare, aged 23 years, R/o village Dhanagar, PS Kotararoad, Raigarh, Distt. Raigarh (CG).

... Applicant

Versus

State of Chhattisgarh, through officer in charge, Police Station, Kotararoad, Raigarh, Distt. Raigarh (CG).

... Respondent

For Applicant	:	Smt. Meena Shashtri, Advocate.
For Respondent-State	:	Shri D.R. Minj, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/12/2017

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 15.07.2017 in connection with Crime No. 68 of 2017 registered at Police Station Kotararoad, Distt. Raigarh for the offence punishable under Sections 363, 366, 376 IPC and Sections 4 and 6 of POCSO Act.
2. As per prosecution case, the allegation against the applicant is that he is said to have abducted the prosecutrix, a minor girl, and is said to have taken her different places and in between they have also had physical relationship.
3. Learned Counsel for the applicant submits that in the statement under Section 164 Cr.P.C. the prosecutrix has categorically stated that she had voluntarily gone along with the applicant and she had forced the applicant to elope from the house. Further, she denied of the present applicant having physical relationship with her, and therefore he may be released on bail.

4. All these submissions made by the counsel for the applicant is not controverted by the counsel for the State.
5. Considering the facts and circumstances of the case particularly taking into consideration the age of the prosecutrix i.e. 17 years and 4 months and also taking note of her statement under Section 164 Cr.P.C., this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-

(P. Sam Koshy)
Judge