

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7020 of 2017

Chandrabhas Sonwani @ Golu S/o Ratiram Sonwani Aged About 21 Years
R/o Sanjay Nagar Mokhala Post Office & Police Station Arang, District
Raipur Chhattisgarh. **---- Applicant**

Versus

State Of Chhattisgarh Through The Station House Officer Police Station
Arang District Raipur Chhattisgarh. **---- Respondent**

For Applicant	:	Mr. Shivendu Pandya, Advocate
For Respondent/State	:	Mr. Satish Gupta, G.A.

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

Order On Board

14/12/2017

Heard.

1. The applicant has been arrested in connection with Crime No.194 of 2017 registered at Police Station- Arang, District Raipur (C.G.) for the alleged commission of offence under Section 363, 366, 376 of IPC and 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution is that the applicant committed rape on the prosecutrix, who is minor in age of 14 as per school records.
3. Learned counsel for the applicant would submit that the prosecutrix has been examined and she has stated that she had an affair with the applicant, therefore, the applicant may be granted bail.
4. On the other hand, learned State counsel oppose the prayer by submitting that the prosecutrix was only 14 years of age as per school records when she had subjected to sexual intercourse by the applicant, therefore, the applicant may not be granted bail.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the submission that there was an affair between the applicant and the prosecutrix and that prosecutrix has not supported the allegation of she having been subjected to sexual intercourse, I am inclined to grant bail to the applicant, 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.25,000/- along with two local sureties 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