

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1479 of 2017

Indradev Yadav S/o Murli Yadav Aged About 39 Years R/o Village Silaju, P.S.-
Ramchandrapur, District - Balrampur-Ramanujganj Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station-Ramchandrapur District Balrampur-
Ramanujganj Chhattisgarh

---- Respondent

Shri A.K.Yadav, counsel for the applicant/s.
Shri Neeraj Sharma, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/03/2017

Heard.

The applicant has been arrested in connection with Crime No.18/2016 registered at Police Station – Ramchandrapur, District – Balrampur - Ramanujganj for alleged commission of offences under Section 376, 506 of IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution is that the applicant came to the house of the prosecutrix and committed rape on her. It is alleged that the prosecutrix is less than 18 years of age.

3. Learned counsel for the applicant submits that the applicant has been involved only on suspicion. He submits that the prosecutrix has now been examined during trial and she has not supported the case of the prosecution. It is submitted that the prosecutrix has clearly stated that only on suspicion, report was lodged and neither the applicant came to the house of the prosecutrix, nor met her, nor did anything wrong with her.

4. On the other hand, learned State counsel opposes bail application and

submits that the applicant is being tried for commission of serious offence and at this stage, other prosecution witnesses are yet to be examined.

5. Taking into consideration the submission of learned counsel for the applicant that the prosecutrix has already been examined in the Trial Court and she has not supported the case of the prosecution and has stated that the applicant did not commit any kind of offence of rape with her, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. 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 Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

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