

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Miscellaneous Criminal Case No. 2306 of 2017**

Vijay Singh Patel S/o Late Devi Din Patel, aged about 45 years R/o near Gitti Khadan, Mathpuraina, near Trilok Dham Mandir, Raipur, Police Station: Purani Basti, Revenue & Civil District- Raipur, Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh through Police Station : Purani Basti , Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Smt. M. Bhardwaj, Advocate
For Respondent/State	:	Shri Arvind Dubey, Panel Lawyer

Hon'ble The Vacation Judge**Order on Board****26/05/2017**

The applicant has preferred this application under Section 439 Cr.P.C. for grant of bail as he has been arrested in connection with Crime No. 207 of 2016 registered at Police Station Purani Basti, Raipur District Raipur (Chhattisgarh) for the offence punishable under Section 376 of IPC.

2. The applicant has allegedly committed forcible sexual intercourse with the prosecutrix aged about 18 years. However, the charge sheet has not been filed for commission of any offence under POCSO Act. Although in her statement under Sections 161 and 164 CrPC the prosecutrix has made clear allegation against the applicant but when she was examined in Court, she has turned hostile and has denied that any incident has happened with her.

3. Considering the entire facts and situation of the case including the fact that the applicant is in jail since 03.07.2016, this Court is inclined to release the applicant on bail.

4. Accordingly, the bail application is allowed. The present applicant is directed to be released on bail on his executing a personal bond for a sum of

Rs.25,000/- with one surety for the like amount to the satisfaction of the concerned trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-
(Prashant Kumar Mishra)
Vacation Judge

Bhola