

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4093 of 2017

Ali Hussain S/o Mohamad Naeem, Aged About 21 Years R/o Ganesh Pan
Mandir, Zone 2, Khursipar, Bhilai, Tahsil & District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Collector Durg, Police Station Khursipar, District
Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Ravi Bhagat, Advocate
For State	:	Shri Chandresh Shrivastava, Panel Lawyer
For Complainant	:	Ms. Sangeeta Soni, Advocate

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

Order On Board

06/12/2017

Heard.

1. The applicant is arrested in connection with Crime No.94 of 2017 registered in Police Station- Khursipar, District- Durg (C.G.) for alleged commission of offence under Section 376 IPC and Section 6 of the Protection of Children from Sexual Offences Act 2012.
2. Case of the prosecution, in brief, is that the applicant committed rape on the prosecutrix.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated. The prosecutrix and the applicant had an affair. The prosecutrix has been examined in the Court and she has turned hostile and has stated that the applicant did nothing to her.
4. On the other hand, learned counsel for the State has opposed the bail application.
5. Learned counsel appearing for the complainants submits that they have no objection to grant of bail to the applicant.
6. Taking into consideration the submissions made by learned counsel for the

parties, particularly taking into consideration that the prosecutrix has been examined and she has not supported the prosecution case and stated before the Court that the applicant did nothing to her and further considering that the applicant is not likely to abscond or tamper with the prosecution witnesses, the application is allowed.

7. 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 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