

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5135 of 2017

1. Rajkumar Gayakwad S/o Saraf Gayakwad, aged about 35 years, R/o Village Chorbhatti, Police Station-Kharora, Permanent R/o (Sasural Gram) Village Nawagaon, Police Station Patwa, Civil And Revenue District Mahasamund, Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Kharora, Civil And Revenue District- Raipur, Chhattisgarh.

---- Respondent

For Applicant
For Respondent/State

Shri J.R. Verma, Advocate
Ms. K. Tripti Rao, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

30/11/2017

1. Heard.
2. The applicant has preferred this application filed under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.74/2017 registered in Police Station Kharora, Dist. Raipur, for offence punishable under Sections 363, 366, 376/34 of the Indian Penal Code and Sections 3 & 4 of the Protection of Children from Sexual Offences Act, 2012.
3. The applicant happens to be the cousin of main accused Pappu Gayakwad, who enticed the prosecutrix; took her to

the house of the applicant; and performed forcible sexual intercourse with her. Father of the prosecutrix visited the applicant's house in the next morning and recovered her from the house of the applicant.

4. Learned counsel appearing for the State would oppose the bail application.
5. Considering the facts and circumstances of the case; particularly considering the fact that the applicant has not ill treated the prosecutrix, but has allegedly provided shelter to the main accused and the prosecutrix to perform social obligations of being a good host; investigation is complete and the charge sheet has already been filed; and further considering the fact that the applicant is in detention since 26-4-2017, this Court is inclined to release the applicant on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Judge

Prashant Kumar Mishra

Gowri