

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5658 of 2017

- Pradeep Chauhan S/o Bhagirathi Chauhan, Aged About 21 Years Occupation Driver, R/o Village Navapali, P. S. Chakradharnagar, Tahsil Pusaor, District Raigarh Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Police Station City Kotwali, District Raigarh Chhattisgarh. --- **Respondent**

For the applicant	:	Miss Sharmila Singhai, Advocate.
For the Respondent	:	Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.11.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 523 of 2016 registered at Police Station City Kotwali, Raigarh Distt. Raigarh (C.G) for the offences punishable under Sections 363, 366 & 376 of IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a report was made by the aunt of prosecutrix that the prosecutrix was missing. Subsequently it was revealed that the present applicant has enticed and took her away from the lawful guardianship of the complainant and on the pretext of marriage committed sexual intercourse with her.
3. Learned counsel for the applicant submits that the prosecutrix has not supported the case of prosecution, she was in love relations with the applicant and she herself had

gone along-with the applicant. He further submits that the charge sheet has been filed and the applicant is in jail since 11.09.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
 5. Perused the case diary and documents. It appears that the prosecutrix has not supported the case of prosecution. Considering the same, without any further observations on merits of the case, I am inclined to allow this bail application.
 6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**