

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6654 of 2017**

Jyoti Lanjhewar @ Jyoti Wahne W/o Satish Lanjhewar, Aged About 22 Years R/o Village Pendri, Atal Awas, Block 20, Qr.No.18, Rajnandgaon, Chhattisgarh, Presently R/o Chikli, Ward No.6, Juggu Jhopdi, Behind Govt. Press, Rajnandgaon, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Out Post Chikli, Rajnandgaon, Chhattisgarh

---- Respondent

For applicant - Shri B.D. Guru, Advocate.
For Respondent/State –Shri Suryakant Mishra, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****6/12/2017**

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No.254/2017 registered in Police Station Out Post Chikli, Rajnandgaon for offence punishable under sections 363, 366 (Ka), 372 & 376/34 of the IPC and Section 4 & 12 of the POCSO Act, 2012.
2. Case of the prosecution, in brief, is that a report was made by father of the victim on 23/04/2017 that her daughter is missing from 9/03/2017. Subsequently, she was recovered on 9/08/2017 wherein she disclosed that she went to Nagpur in 2015-2016 wherein she was known to the present applicant and she was forced to have relation with the other male. Thereby offence has been committed.
3. Learned counsel for the applicant submits that statement of the victim would show that incident is stated to be of 2015-2016 and prosecutrix has not made any report, she was in the company of so many males. He further submits that charge sheet has been filed, no further investigation would be necessary, therefore the applicant may be released

on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the victim under section 161 and 164 of Cr.P.C. Initial allegation of forceful sexual intercourse at the behest of the applicant has been alleged to be in the year 2015-2016, charge sheet has been filed. In view of this, taking into such statement and nature of allegation, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on her furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for her regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE