

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6646 of 2017

Govind Singh S/o Shri Shivmangal Singh Aged About 26 Years R/o
Patelpara, Govindpur, Police Station Khadgawa, District Korea
Chhattisgarh --- **Petitioner**

Versus

State of Chhattisgarh through Station House Officer, Police Of Police
Station Khadgawa, District Korea Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Anil Gulati, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.12.2017

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. 130/2017 registered at Police Station Khadgawa, Distt. Korea (C.G) for the offences punishable u/ss 376(2) (८) (९) of IPC and section 4 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, on 15.08.2017 a report was lodged by the prosecutrix victim that on 08.08.2017 the present applicant has committed forcible rape on her.
3. Learned counsel for the applicant would submit that initially a report was made by Smt. Vasanti Bai, wife of the applicant against the father of the present complainant on 14.08.2017 that he tried to attack and extended threat by forcibly entering into the house of applicant over an old enmity and thereafter, the false report was made by the prosecutrix on 15.08.2017 narrating the incident of 08.08.2018, therefore,

false allegations have been attributed. He further submits that the charge sheet has been filed and the applicant is in jail since 16.08.2017, therefore, he may be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application.
 5. Perused the case diary and documents. Also perused the FIR lodged by the wife of applicant against the father of complainant. The present FIR appears to be made on 15.08.2017 for the incident of 08.08.2018. The medical report is also perused. Considering the same as also the fact that the charge sheet has been filed and the applicant is in jail since 16.08.2017 and further considering the report and counter-report made by the parties against each other, without any further observation on merits of the case, I am inclined to allow this bail application.
 6. Accordingly, this 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**