

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 1157 of 2018**

Pikeshwar Sahu @ Golu S/o Devsingh Sahu Aged About 21 Years
R/o Village Khurshidih, Police Station Pulgaon Tahsil And District
Durg Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Pulgaon District Durg Chhattisgarh

----Non-applicant

For Applicant	:	Mr. H.B. Agrawal, Sr. Advocate along with Ms. Meera Jaiswal, Advocate
For State	:	Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/04/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 408/2017 registered at Police Station Pulgaon District Durg, Chhattisgarh for the offence punishable under Sections 376, 450 of the Indian Penal Code and Sections 5(L), 6 of the Protection of Children from the Sexual Offences Act.
2. The present applicant is in jail since 27.09.2017 in connection with the aforesaid Crime number.
3. The allegation against the present applicant is that the present applicant on the pretext of marriage is said to have maintained a physical relationship with the prosecutrix for a considerable period of time and thereafter he has refused to marry her which led to the filing of the F.I.R.

4. The senior counsel appearing for the applicant submits that the prosecutrix in the instant case has been examined before the trial Court and she has not supported the case of the prosecution and has turned hostile. He further submits that even the father of the prosecutrix has not supported the case of the prosecution and he too has turned hostile.
5. This fact is not opposed by the State counsel on verification of the record.
6. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that prima facie a strong case has been made out for grant of bail to the applicant. Accordingly, the present application for grant of bail 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/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge