

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1594 of 2018**

- Sanjay Chandrakar, aged about 23 years, S/o Dashrath Chandrakar, R/o Gatoura, Police Station Masturi, Tahsil Masturi, Civil & Revenue District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through – District Magistrate Bilaspur, Tahsil, Civil & Revenue District Bilaspur (C.G.)

---- Non-applicant

For Applicant	:	Ms. Sareena Khan, Advocate.
For Non-Applicant/State	:	Ms. Sunita Jain, Penal Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****16.04.2018**

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.03/2018, registered at Police Station – Masturi, District Bilaspur (C.G.), for the offence punishable under Sections 363, 366, 376, 506, 323 of the IPC and Section 4 of Protection of Children from Sexual Offences Act.
2. The present Applicant is in jail since 18.12.2017 in connection with the aforesaid crime number.
3. The allegation against the present Applicant is of having raped a minor girl to which the family member had lodged the FIR on 18.12.2017.
4. The learned counsel for the Applicant submits that the prosecutrix has examined so also her family members and none of them have supported the case of the prosecution and have turned hostile and the Applicant, therefore, be released on bail. This aspect is not disputed by the State counsel of material witness including the prosecutrix not supporting the case of the prosecution.

5. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that the *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.
6. 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