NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2616 of 2018

Sandeepan S/o Shri Govind Aged About 23 Years Caste- Gond, R/o- Village Pondi, P.S. Janakpur, District- Kariya, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station Janakpur, District- Koriya, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. C.K. Kesharwani, Advocate
For State	:	Mr. Satish Kumar Gupta, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28/05/2018

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. 86/2017 registered at Police Station Janakpur, District Koriya, Chhattisgarh for the offence punishable under Sections 363, 366, 376(d), 454, 370, 376(A)/34 of Indian Penal Code and Sections 4, 5, 6, 9 & 10 of Protection of Children from the Sexual Offences Act, 2012.

2. The present applicant is in jail since 04.10.2017 in connection with the aforesaid Crime number.

3. As per the prosecution case, on 20.08.2017 the prosecutrix was enticed away by the present applicant from the lawful guardianship of her parents who on the pretext of marriage is said to have committed rape with her.

4. The learned counsel for the applicant submits that the prosecutrix has been examined and she has not supported the case of

prosecution and false allegation has been attributed on the present applicant and thus prayed for releasing the applicant on bail.

5. The State counsel opposed the bail application.

6. Considering the statement of prosecutrix, wherein she has not supported the case of prosecution and has turned hostile, this Court is of the opinion that prima facie a fit 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/-
(Goutam Bhaduri)
VACATION JUDGE

Ved