

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3083 of 2018**

- Tulesh Verma S/o Shyam Kumar Verma Aged About 19 Years R/o Village Dilapahri, Thana Lalbag, Distt. Rajnandgaon Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Thana Lalbag, Distt. Rajnandgaon Chhattisgarh

---- Respondent

For Applicant	:	Shri Samir Singh, Advocate
For Respondent /State	:	Shri SRJ Jaiswal, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****26/06/2018**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 09.05.2017 in connection with Crime No.145/2017 registered at Police Station Lalbag, Distt. Rajnandgaon (CG) for the offence punishable under Sections 450, 363, 376 & 506 IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a report was lodged on 19.04.2017 that the applicant has enticed away the minor girl from the lawful custody of her parents and thereafter committed forceful sexual intercourse. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the prosecutrix has been examined and she has not supported the case of the prosecution and has completely disowned the statement, therefore, the applicant may be

released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the prosecutrix (PW-8), which shows that she has completely disowned the statement in support of the prosecution. Considering the fact that the prosecutrix did not support the case of the prosecution without further observation on merits, I am inclined to release the applicant on bail.
6. Accordingly, the 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 trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge

Ashu