

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 6322 of 2018**

Viplav Mal S/o Vidhan Mal Aged About 18 Years R/o Banglapara,
Narayanpur Police Station Narayanpur, District Narayanpur,
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Narayanpur, District
Narayanpur, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. Shobhit Koshta, Advocate
For State	:	Mr. R.N. Pusty, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****30/08/2018**

1. This is a repeat bail application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 14/2018 registered at Police Station Narayanpur, District Narayanpur, Chhattisgarh for the offence punishable under Section 376D of Indian Penal Code and 4, 6 of Protection of Children from the Sexual Offences Act, 2012.
2. Earlier bail application stood dismissed as withdrawn with liberty to revive after the prosecution is examined.
3. Counsel for the applicant submits that the prosecution has since been examined before the trial Court on 16.07.2018 and she has completely turned hostile and has not supported the case of the prosecution, particularly in respect of the present applicant.
4. This aspect is not controverted by the State counsel on going through the deposition of the prosecutrix.

5. In view of the aforesaid facts where the prosecutrix herself has not supported the case of the prosecution and has turned hostile, 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.
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

Ved