

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2390 of 2019**

Sukhram Sodhi S/o Hirma Sodhi, Aged about 23 years, R/o Badepara Pusnar,
PS Bhairamgarh, District Bijapur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through: Police Station Bhairamgarh, District Bijapur,
Chhattisgarh.

---- Non-Applicant

For Applicant	:	Shri P.R.Patankar, Advocate
For Non-Applicant/State	:	Shri Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

18/04/2019

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 09.01.2018 in connection with Crime No. 02/2018 registered at Police Station Bhairamgarh, District Bijapur, for the offence punishable under Section 363, 366(A), 376(2) of the Indian Penal Code and Section 5 and 6 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, it is alleged that on 08.01.2018, the present applicant enticed away the prosecutrix, a minor, from the lawful custody of her parents on the pretext of marriage and thereafter committed sexual intercourse.
3. Learned counsel for the Applicant submits that the prosecutrix has been examined and she has not supported the case of the prosecution and alternatively, she has stated that she was in love relationship with the Applicant

and nothing is attributed to the present Applicant, therefore, the Applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. From perusal of the statement of the prosecutrix (PW-2), it appears that prima facie no allegations have been attributed to the present applicant. Taking into consideration the said circumstances, without any further observation, 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

Amit