

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2287 of 2019**

- Roshan Meeraj, S/o Resham Meeraj, aged about 20 years, R/o Village Marpa, Police Station & Tahsil Kawardha, District Kabirdham (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Kawardha, District- Kabirdham, Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Dharmesh Shrivastava, Advocate.
For Non-Applicant : Shri Gagan Tiwari, Deputy GA.

Hon'ble Shri Prashant Kumar Mishra, Ag CJ**Order On Board****12/04/2019 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.01/2019 registered in Police Station Kawardha, District Kabirdham for offence under Sections 363, 366, 376 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the initial report, the applicant abducted the prosecutrix who is less than 16 years of age and thereafter subjected her to sexual intercourse. However, in her statement under Section 164 of the CrPC she would state that in the night of 31.1.2019, she herself called the

applicant and thereafter they went on foot to Kawardha and from there to Jabalpur and then moved out to Mumbai where they stayed for about 1½ months. During this period, they were working at place called Samila, however, during their stay at Samila, the applicant never subjected her to forcible sexual intercourse.

3. Considering different version of the prosecutrix in her statement under Section 161 and thereafter under Section 164 of the CrPC, I am inclined to release the applicant on bail.
4. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount 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/-
(Prashant Kumar Mishra)
Acting Chief Justice

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