

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9672 of 2018**

- Manoj Kumar Bhaskar S/o Late Faguram Bhaskar Aged About 23 Years Caste Satnami R/o Village Awaspara Barela Police Station Jarhagaon District Mungeli Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through SHO, Jarhagaon, District Mungeli Chhattisgarh

---- Respondent

For Applicant : Shri Dheerendra Pandey, Advocate

For Respondent/State : Shri Sudeep Verma, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/04/2019**

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 30.08.2018 in connection with Crime No.187/2018 registered at Police Station Jarhagaon, District Mungeli (CG) for the offence punishable under Section 376 IPC and Sections 4 & 6 of the POCSO Act.
2. As per the prosecution case, a written complaint was made on 28.08.2018 that the applicant enticed away the minor girl and thereafter on pretext of marriage 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, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. The Court has issued notice to the father of the prosecutrix, who is present in the Court also do not object to the bail. In view of such fact and also taking into that the prosecutrix has not supported the case of the prosecution, 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

Ashok/Ashu