

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4982 of 2020**

- Nandkishore Sonwani @ Pappu S/o Vinay Sonwani Aged About 22 Years, Caste Ghasiya R/o Village Tangarmahri (Kumharpara), Police Station Balrampur, District Balrampur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Vishrampur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant :- Mr. Shakti Raj Sinha, Advocate
For Respondent-State :- Mr. K.K. Singh, G.A.
Complainant/prosecutrix has also appeared virtually through help desk of DLSA, Surajpur.

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**18/09/2020**

1. Heard.
2. The applicant has preferred this application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.31/2020 registered in Police Vishrampur, District Surajpur C.G. for the offence punishable under Sections 363, 366, 376 of the I.P.C. & Section 4,6 of the Protection of Children from Sexual Offences Act, 2012.

3. Case of the prosecution, in brief, is that applicant has allegedly abducted and committed forcible sexual intercourse with the prosecutrix aged less than 15 years, however, in her statement under Section 164 Cr.P.C. she has denied the incident of commission of rape.
4. As required under Section 439 (1A) of Cr.P.C., the prosecutrix was issued notice of this bail application. She has appeared today from the help desk of DLSA, Surajpur.
5. Learned State counsel would oppose the prayer for grant of bail.
6. Having heard learned counsel for the applicant and taking into account the entire fact situation of the case particularly her statement under Section 164 Cr.P.C. which she reiterates before this Court, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of ₹50,000/- 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)
Judge