

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5568 of 2020**

- Prashant Kumar Sahu S/o Jaichandra Sahu Aged About 20 Years R/o Village- Umapur, P.S. And Tahsil- Ramanujnagar And District- Surajpur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- The Police Station Ramanujnagar, District Surajpur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Gyan Prakash Shukla, Advocate
For Respondent-State	:	Mr. K.K. Singh, G.A.

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**21/09/2020**

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.125/2020 registered in Police Station Ramanujnagar, District Surajpur, C.G. for the offence punishable under Sections 376 (2)(n) of the I.P.C. and Section 4, 6 of the Protection

of Children from Sexual Offences Act, 2012.

3. Although there is allegation in written complaint and in 161 of Cr.P.C. statement that the applicant committed forcible sexual intercourse with the prosecutrix aged about 16 years and 03 months, however in her 164 Cr.P.C. statement, the prosecutrix has denied the incident.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the varying statement of the prosecutrix and for the fact that they happened to be close relative as also for the fact that the applicant is in jail since 14.07.2020 and the charge sheet has already been filed, this Court is inclined to release the applicant on bail.
6. 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