

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.6388 of 2020

- Sourabh Verma S/o Ramkumar Verma Aged About 21 Years Resident Of Bana, Police Station Kharora, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kharora, District Raipur Chhattisgarh

---- Non-applicant

For Applicant : Mr. Shukdev Prasad Sahu, Advocate.
For Non-applicant/State : Mr. D.P. Singh, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-10-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. The applicant has been arrested on 14.07.2020 in connection with Crime No.194/2020, registered at Police Station- Kharora District- Raipur, C.G. for offence punishable under Sections 376 of I.P.C. and Sections 4 and 6 of POCSO Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The prosecutrix has herself contradicted in her statement given before the J.M.F.C. under Section 164 of Cr.P.C. and favored the applicant. The applicant is in jail since 14.07.2020, hence, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that prosecutrix has supported the case against the applicant in her statement given under Section 161 of Cr.P.C., therefore, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, it is alleged that this applicant ravished and sexually exploited the minor prosecutrix in the year 2018 which continued for some time and then the prosecutrix has lodged F.I.R. on 12.07.2020.
6. Considered on the submissions, as it is found in the investigation that prosecutrix has contradicted in her two statements given at the investigation stage and these appears to be an admission about the affair. Therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed, on condition as imposed by the concerned Court.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge