

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 312 of 2021**

- Shamim Khan, son of Hanif Khan, aged about 18 years, R/o Indira Nagar, Kurud, Tahsil and Police Station Kurud, District Dhamtari (CG)

**---- Applicant****Versus**

- State Of Chhattisgarh Through the Station House Officer, Police of Police Station Kurud, District Dhamtari (CG)

**---- Non-Applicant**

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For Applicant : Shri Anil Gulati, Advocate.

For Non-Applicant : Shri Rajendra Tripathi, Panel Lawyer.

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**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****18/03/2021 :**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.15/2020 registered in Police Station Kurud, District Dhamtari for offence under Section 363, 366 and 376 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act.
2. This is the 2<sup>nd</sup> Bail Application on behalf of the applicant. The earlier bail application was dismissed as withdrawn with liberty to revive the prayer after examination of the prosecutrix vide order dated 1.9.2020.
3. The applicant has committed forcible sexual intercourse with the prosecutrix aged about 17 years on 12.1.2020.
4. The prosecutrix has been examined during trial. She has turned hostile and denied that the applicant has committed forcible sexual intercourse with her.

5. Considering that the applicant is in jail since 12.5.2020 and the prosecutrix is not supporting the prosecution case, 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 for a sum of Rs.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/-**  
**Judge**  
(Prashant Kumar Mishra)

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