

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1813 of 2021**

1. Sukumar Dafadar, son of Subal Dafadar, aged about 20 years, resident of Village Javahar Nagar, Balrampur, District Balrampur-Ramanujganj (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Balrampur, District Balrampur Ramanujganj (CG)

---- Non-Applicant

For Applicant : Shri AK Yadav, Advocate.
For Non-Applicant : Shri Chandresh Shrivastava, Deputy AG.
For Objector : Shri Vikas Shrivastava, Advocate.

Proceeding Through Video Conferencing**Hon'ble Shri Prashant Kumar Mishra, Ag CJ****Order On Board**

16/07/2021 :

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.81/2020 registered in Police Station: Balrampur, District Balrampur-Ramanujganj for offence under Section 376 (2)(b), 506, 376 (2)(a)(b) of the IPC and Sections 4 & 6 of the POCSO Act, 2012.
2. This is the 3rd bail application on behalf of the applicant. The first bail application was dismissed as withdrawn with liberty to revive after examination of the prosecutrix and the second bail application was dismissed for non-compliance of the Court order.

3. The applicant has allegedly committed forcible sexual intercourse with the prosecutrix aged about 10 years at the time of incident. In her statement recorded during trial vide Annexure-A/4, the prosecutrix has not supported the case of the prosecution. She has denied the incident.
4. Learned counsel for the complainant/Objector would submit, on instructions, that the prosecutrix has no objection in releasing the applicant on bail.
5. Considering that the applicant is in jail since 10.5.2020 i.e. for more than a year, the state of evidence on record as also the No Objection accorded by the prosecutrix in releasing the applicant on bail, 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/-
(Prashant Kumar Mishra)
Acting Chief Justice