

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6470 of 2021**

- Pradeep Kumar Singh S/o Shri Loknath Singh Aged About 27 Years R/o Village Salhi, P.S. And Tahsil Ramanujnagar, District Surajpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Arakshi Kendra, Ramanujnagar, Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Shri Gyan Prakash Shukla, Advocate

For Respondents/State : Ms. Akshara Amit, PL

Hon'ble Shri Justice Goutam Bhaduri**Order****08/12/2021**

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 09.03.2021 in connection with Crime No. 48/2021 registered at Police Station Ramanujnagar, District Surajpur (CG) for the offence punishable under Sections 376 (2) (N), 376 (D) & 342 of Indian Penal Code 1860, Sections 4 & 6 of POCSO Act and Section 3 (2) (v) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. As per the prosecution case, on 07.03.2021 when the prosecutrix along with her cousin sister went to bring household articles from the shop of the applicant and

when she entered the shop, it was locked by other co-accused and the cousin sister ran away. Thereafter, the present applicant committed forceful sexual intercourse with the victim.

4. Learned counsel for the applicant submits that prosecutrix has been examined before the Court and she has not supported the case of the prosecution and completely have disowned the story, therefore, the applicant may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perused the statement of the prosecutrix, which prima facie shows that she has not supported the case of the prosecution. Having considered the same, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum 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/-

Goutam Bhaduri
Judge

Ashu