

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6704 of 2021**

- Sanjay Netam @ Sadhu S/o Arman Netam Aged About 21 Years R/o Ward No. 01, Shivghat , Lormi, District Mungeli Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Takhatpur, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant : Shri Sushobhit Singh, Advocate

For Respondent/State : Ms. Akshara Amit, P.L.

For Objector : Ms. Ankits Shriwas, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/12/2021**

1. 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 11.08.2021 in connection with Crime No. 266/2020 registered at Police Station Takhatpur District Bilaspur C.G. for the offence punishable under Section 363, 366-A, 376 of IPC and Section 4 & 6 of POCSO.
2. As per the prosecution case a missing report was lodged of a minor girl on 26.08.2020. Thereafter, when the girl was found on a enquiry it was found that the victim enticed away the minor girl and on the pretext of marriage committed sexual intercourse and the offence was committed.

3. Learned counsel for the applicant submits that when the prosecutrix was examined before the trial court she has completely disowned the incident, therefore no case is made out and the present applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Learned counsel for the objector submits that she has no objection.
6. The prosecutrix along with her mother appeared before this Court on 04.10.2021 and submitted that she has no objection to grant bail to the applicant.
7. Heard learned counsel for the parties and perused the records.
8. Considering the statement of the prosecutrix, prima facie shows that the allegations are completely disowned, therefore without any observation on the merits, I am inclined to release the applicant on bail.
9. 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