

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6684 of 2021**

- Dilip Singh Markam S/o Ramgopal Markam Aged About 21 Years R/o Vill.- Khada, Thana - Seepat, District - Bilaspur (Chhattisgarh)

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station - Sarkanda, Bilaspur, Distt.- Bilaspur (Chhattisgarh)

---- Respondent

For Applicant	:	Ms. Monika Singh, Advocate
For Respondents/State	:	Ms. M. Asha, PL
For Objector	:	Ms. Laxmeen Kashyap, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****17/12/2021**

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 29.07.2021 in connection with Crime No.623/2021 registered at Police Station Sarkanda, District Bilaspur (CG) for the offence punishable under Sections 363, 366, 376 of I.P.C. and Sections 4 & 6 of Prevention of Children from Sexual Offences Act, 2012.
3. As per the prosecution case, the mother of the prosecutrix lodged a report that

the present applicant knowing full well that the prosecutrix is a minor enticed away her from the lawful custody of parents and committed forceful sexual intercourse. Thereby the offence has been committed.

4. Learned counsel for the applicant submits that the prosecutrix has been examined before the Court and she has not supported the case of the prosecution and before this Court also on 04.10.2021 the prosecutrix has not objected to grant of bail to the applicant, therefore, the applicant may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Learned counsel for the objector do not object to grant of bail to the applicant.
7. Considering the submission of the parties and also taking into that the prosecutrix has not supported the case of the prosecution, I am inclined to release the applicant on bail.
8. 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