

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6806 of 2021

Sanjay @ Golu, S/o. Ganesh Sahu, Aged About 28 Years, R/o. Village Raveli, Police Station- Pipariya, District- Kabirdham, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station- Pipariya, District- Kabirdham, Chhattisgarh.

---- Respondent

For Applicant : None appears nor any representation is made.

For Respondent : Ms. Akshara Amit, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10.12.2021

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 in connection with Crime No.204/2021 registered at Police Station- Pipariya, District Kabirdham, for the offence punishable under Section 376(2)(n), 506 of Indian Penal Code & Section 4 & 6 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 23.06.2021 a written report was made by the prosecutrix in the Police Station that the present applicant Sanjay @ Golu Sahu came to her house while her mother-father were in the field and thereafter forcibly committed sexual intercourse. She being minor, subsequently, the report was made and the offence has been registered.
3. Since no representation is made on behalf of the applicant, as such, the order sheet and the objection of the prosecutrix was examined. On 18.10.2021, before this Court, it has been recorded that the victim/prosecutrix and her parents submitted that the

compromise has taken place in between them and there is no objection to grant bail to the applicant.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. In view of the fact that the charge sheet has been filed and there is no objection of the prosecutrix to grant bail to the applicant and there is in all likelihood that she may not support the case of the prosecution, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge