

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7524 of 2021**

- Sunil Sahis S/o Dilip Sahis Aged About 22 Years R/o Brejraj Nagar, Rampur Kolyari, Punjabi Ghwda Football Ground, Police Station Rampur, District Jharsuguda (Odisha), Present Address Thakuriya Chowk, Janjgir, Police Station City Kotwali, District Janjgir- Champa Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Urga, District Korba Chhattisgarh

---- Respondent

For Applicant : Shri CJK Rao, Advocate

For Respondents/State : Shri Animesh Tiwari, Dy. AG

Hon'ble Shri Justice Goutam Bhaduri**Order****14/12/2021**

1. Heard.
2. This is the Third 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 04.02.2020 in connection with Crime No.131/2019 registered at Police Station Urga, District Korba (CG) for the offence punishable under Sections 363, 366, 368, 376/34 of Indian Penal Code and Section 6 & 17 of Protection of Children from Sexual Offences Act, 2012.
3. The First Bail Application bearing M.Cr.C. No.5135 of 2020 was dismissed on 21.09.2020 and the Second Bail Application bearing M.Cr.C. No.1121 of 2021

was dismissed on 18.06.2021.

4. As per the prosecution case, the applicant abducted the prosecutrix and committed rape on her when she was minor. Thereby the offence has been committed.
5. Learned counsel for the applicant submits that the prosecutrix has been examined before this Court and she has not supported the case of the prosecution and she has married with the applicant, therefore, the applicant may be released on bail.
6. The prosecutrix is also present through video conferencing from DLSA, Korba and she did not object to grant of bail to the applicant.
7. After perusal of the statement of the prosecutrix (PW-1) and Chaganlal Soni (PW-2) without any observation on merits, 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