

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7176 of 2021**

Sagar Patel Son of Parasram Patel Aged About 21 Years
 Resident of Village - Saliha Para, Ward No. 9, R.S. Colony,
 Bhanupratappur, Police Station - Bhanupratappur, District-
 Kanker (Chhattisgarh), --- Applicant

Versus

State of Chhattisgarh through Station House Officer, Police
 Station - Ranchirai, District - Balod (Chhattisgarh).
 --- Respondent

For the applicant	:	Mr. B. P. Singh, Advocate
For the Respondent	:	Mr. Ashutosh Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.12.2021

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.70/2021 registered at Police Station Ranchirai, Distt. Balod (C.G) for the offences punishable under Sections 363,366, 376(2)(n) of IPC and sections 4, 5-Tha/6 of Protection of Children from Sexual Offences Act.
2. As per the prosecution case, a report was lodged by the father of victim on 09.07.2021 that on 22.6.2021 the applicant has enticed away from the lawful custody of her parents knowing fully aware that she was a minor girl and thereafter on the pretext of marriage, the applicant has sexually exploited the victim, thereby, the offence has been committed.
3. Learned counsel for the applicant submits that though the

objection has been raised before this court to grant of bail, however, the victim has been examined before the Court on 29.09.2021 wherein she has completely disowned the incident and the allegations over the present applicant, therefore, no case is made out against the present applicant.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the statement of victim. Prima facie, it shows that she has completely disowned the allegations attributed to the applicant. Considering such statement of the prosecutrix, without any further observations on merits of the case, I am inclined to allow this bail application.
6. Accordingly, the bail 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 concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**