

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7279 of 2021

Ravi Rao, S/o. Venketeshwar Rao, Aged About 28 Years, R/o. Panarpara
Vijay Ward Jagdalpur, District Bastar, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through The Police Station Kotwali, District Bastar,
Chhattisgarh

---- Respondent

For Applicant : Mr. P.K.Tulsyan, Advocate

For Respondent : Mr. Anshuman Shrivastava, 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.188/2021 registered at Police Station- Kotwali, District Bastar, for the offence punishable under Sections 363, 366, 376 of Indian Penal Code & under Section 6 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a missing report has been lodged on 28.06.2021 by the father of the victim that she has left the house and she could not be found. Thereafter, investigation was carried out and during investigation she was found that from 28.06.2021 to 01.07.2021, the applicant enticed away the minor girl from the lawful custody of their parents and kept her on the pretext of marriage and committed forceful sexual intercourse.
3. Learned counsel for the applicant would submit that the prosecutrix has been examined before the Court below and she had completely disowned the incident, therefore, no offence is made out.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. On 28.10.2021 the prosecutrix appeared alongwith her father & mother before this Court through video conferencing from DLSA Jagdalpur and she kept mum whereas her mother & father objected to grant bail to the applicant.
6. Perused the statement of the prosecutrix wherein she has completely disowned the happening of the incident. Considering the same, without any further observation on merit, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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