

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 7435 of 2021

1. Ranesh Kumar Kole S/o. Purshottam Kole Aged About 20 Years
R/o. Bodegaon, Thana-Aundhi, Distt.-Rajnandgaon (Chhattisgarh)

---- Applicant

Versus

1. State Of Chhattisgarh Through Police Station - Aundhi, Distt.-
Rajnandgaon (Chhattisgarh)

---- Respondent

For Applicant	Mr. Samir Singh, Advocate
For Respondent /State	Mr. Ajay Kumrani, Panel Lawyer

Order on BoardByHon'ble Shri Justice Goutam Bhaduri13/12/2021

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No.7/2021, registered at Police Station Anudhi, Dist. Rajnandgaon (CG), for the offence under Sections 363, 366, 376(2)(f), 312 of the Indian Penal Code and Section 6 of the POCSO Act, 2012 (as per rejection order).
3. Case of the prosecution, in brief, is that on 12-3-2021 the father of the prosecutrix lodged a missing report of the prosecutrix. During investigation, the prosecutrix was found in the company of the applicant and on enquiry it was revealed that on the

pretext of marriage the applicant committed sexual intercourse with her.

4. Learned counsel for the applicant would submit that the applicant has been falsely implicated. According to him, she was in voluntary company of the applicant. Thus, the applicant may be enlarged on bail.
5. Learned counsel for the State, per contra, would oppose the bail application.
6. Perusal of the order sheets, it is evident that on 8-11-2021 the prosecutrix and her father appeared before this Court through video conferencing from DLSA, Rajnandgaon. The prosecutrix stated that she has no objection if bail is granted to the applicant whereas her father objected the bail application.
7. Considering the entire facts situation of the case, particularly considering the fact that the prosecutrix was on the boarder line of age of majority and further considering the fact that the prosecutrix has no objection to the bail application, as also for the fact that the applicant is in jail since 9-7-2021 and the charge sheet has already been filed, I am of the opinion that present is a fit case to release the applicant on regular bail.
8. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like amount 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.
9. Certified copy as per rules. Sd/-

Gowri

(Goutam Bhaduri)
Judge