

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 7932 of 2021

1. Ganesh Bhardwaj S/o Gadru Bhardwaj Aged About 22 Years R/o Village Manjarpara, Parakot, P. S. Parpa, Tehsil Jagdalpur District Bastar Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, P. S. Parpa, District Bastar Chhattisgarh

---- Respondent

For Applicant

Mr. Manish Nigam, Advocate

For Respondent /State

Mr. Ashutosh Mishra, Panel Lawyer

Order on BoardByHon'ble Shri Justice Goutam Bhaduri14/12/2021

1. Heard.
2. The applicant has preferred this bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No.117/2021, registered at Police Station Parpa, District Bastar (CG), for the offence under Sections 363, 366 (क), 376 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief, is that on 5-6-2021 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 from 5-6-2021 to 12-6-2021.

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. He would also submit that the prosecutrix has been examined before the Court below and she has completely disowned the incident.
5. Learned counsel for the State would not dispute the statement of the prosecutrix.
6. Perusal of the order sheets, it is evident that on 22-11-2021 the prosecutrix and her parents appeared before this Court through video conferencing from DLSA, Jagdalpur and objected the bail application. However, in the Court statement dated 8-12-2021 the prosecutrix completely disowned the incident and stated that the applicant has not committed any offence with her.
7. Considering the entire facts situation of the case, as also for the fact that the applicant is in jail since 22-6-2021 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/-

(Goutam Bhaduri)
Judge

Gowri