

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8282 of 2021**

Vikki Sahni @ Vikki Nishad S/o Raju Nishad, Aged About 20 Years
 R/o Sanjay Nagar, Adarshpara, Ward No. 05, Behind Badri Kabadi,
 Supela, Police Station Supela, District Durg (Chhattisgarh) (Details Is
 not mentioned in the Impugned Order) (As Per Charge Sheet), District
 : Durg, Chhattisgarh **--- Applicant**

Versus

State of Chhattisgarh through Police Station Supela, District Durg
 (Chhattisgarh). **--- Respondent**

For the applicant	: Mr. Hemant Kumar Agrawal, Advocate.
For the Respondent	: Mr. Raghavendra Verma, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri
Order on Board

14.12.2021

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.546/2021 registered at Police Station Supela, Distt. Durg (C.G) for the offences punishable under Sections 363, 366, 376 of IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, the applicant enticed away the victim minor girl from the lawful custody of the applicant on the pretext of marriage and thereafter committed forcible sexual intercourse with her, thereby the offence has been committed.
3. Learned counsel for the applicant submits that the prosecutrix has been examined before the trial Court and she has completely denied the incident and the allegations are not attributed to the present applicant.

4. On 26.11.2021, the father of the victim appeared through Video Conferencing from DLSA, Durg and not supported the case of prosecution, therefore, the applicant may be enlarged on bail.
 5. On 26.11.2021, the victim was also present through the video conferencing from DLSA, Durg, and has not raised objection to grant of bail.
 6. Per contra, learned State Counsel opposes the bail application. However, he does not dispute the fact that the victim has supported to grant of bail.
 7. Perused the statement of victim. Having regard to the statement of prosecutrix recorded before the Court below wherein she has been examined as P.W.1 which shows that she has not supported the case of prosecution and further considering the fact that she has consented to grant of bail, without any further observation on merits of the case, I am inclined to allow this bail application.
 8. 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**