

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8047 of 2021**

Suneel Kumar Mandal S/o Shri Ramprakash Mandal Aged About 21 Years R/o Balirajpur, Thana - Babubali, District Madhubani (Bihar) Presently R/o - Sonumba, Krishna Nagar, P.S. Umargaon, District Balsad (Gujarat) --- **Applicant**

**Versus**

State of Chhattisgarh through Station House Officer, Police Station - Palari, District - Balodabazar - Bhatapara (Chhattisgarh), District : Balodabazar-Bhathapara, Chhattisgarh --- **Respondent**

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| For the applicant  | : | Mr. Sunil Sahu, Advocate.         |
| For the Respondent | : | Mr. Ashutosh Mishra, Panel Lawyer |

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**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.483/2020 registered at Police Station Palari, Distt. Baloda Bazar-Bhatapara (C.G) for the offences punishable under Sections 363, 366, 376 of IPC and section 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 28.12.2020, a missing report was lodged by the father of victim. Thereafter the victim was found in the company of present applicant and on enquiry it was revealed that the applicant has enticed away the minor girl from the lawful custody of her parents and 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 court below and she has not supported the case of prosecution and has completely denied the entire allegations against the applicant which would show that at the instance of the victim itself, the applicant admitted her to join his company, therefore, the applicant may be enlarged on bail.
  4. Earlier on 10.12.2021 the victim along with her father appeared through video conferencing from DLSA, Balodabazar Bhatapara and objected to grant of bail.
  5. Learned State Counsel opposes the bail application.
  6. Perused the statement of victim recorded before the trial Court wherein she was examined as P.W.2. After going through the entire statement, it appears that the allegations have been disowned. Considering such statement of prosecutrix, I am inclined to allow this bail application.
  7. 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**