

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8352 of 2021**

Prahlad Chouhan @ Pralad Chouhan @ Situ Chouhan S/o Devdhar Chouhan Aged About 26 Years R/o Village Bansmuda , Tahsil Kharsia, District Raigarh Chhattisgarh. --- **Applicant**

Versus

State of Chhattisgarh through Station House Officer, Chowki Jutmil Police Station Kotwali District Raigarh Chhattisgarh. ---- **Respondent**

For the applicant	:	Mr. Jitendra Shukla, Advocate.
For the Respondent	:	Ms. Akshara Amit, Panel Lawyer.

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.233/2020 registered at Out Post (Chowki) Jutmil Police Station Kotwali, Raigarh(C.G) for the offences punishable under Sections 363, 366, 376 of IPC and section 6 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, on 08.03.2021 the father of victim made a missing report and subsequently on investigation it was found that the present applicant has enticed away the minor girl from the lawful custody of the parties and knowing fully aware that she is minor girl, he 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 even

before this Court when she appeared along with her father on 26.11.2021 through video conferencing from DLSA Raigarh, they have supported for grant of bail. Therefore, the applicant may be enlarged on bail.

4. Per contra, learned state counsel opposes the bail. However, he does not dispute the fact of consent for grant of bail.
5. Perused the statement of victim recorded before the court below wherein she was examined as P.W.1 which shows that the victim has not supported the case of prosecution and further before this Court too she has supported to grant bail. Having considered the statements of the victim, without any observations on merits of the case, I am inclined to allow this bail application.
6. 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**