

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8487 of 2021

Alok Soni, S/o Harprasad Soni, Aged About 32 Years R/o 310, M.P. Nagar, EWS Colony, Police Station - Kotwali, Korba, District Korba Chhattisgarh
---- **Applicant**

Versus

State Of Chhattisgarh, Through, Station House Officer, Police Station - Mahila Thana, District Raipur Chhattisgarh
---- **Respondent**

For applicant - Shri Shubham Tripathi, Advocate.
For Respondent/State – Shri Animesh Tiwari, Dy.A.G.
For objector – Shri Harshwardhan Parganiya, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

15/12/2021

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.78/2021 registered in Police Station Mahila Thana, District Raipur (C.G.) for offence punishable under sections 376, 376(2)(n) of Indian Penal Code and section 6 and 12 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case on 19/09/2021 while the prosecutrix was major of 23 years lodged a report that the applicant while she was minor the applicant threatened her and recorded some obscene video and has sexually assaulted and abused, thereby offence is committed.
3. Learned counsel for the applicant submits that at the age of 23 years the report was made of the past few years for which no evidence is on record. He would submit that no seizure is made and only oral and bald statement has been made, therefore the applicant have been falsely implicated and the medical report also do not spell out any positive thing in favour of the prosecution. He would submit that charge sheet has been filed, therefore the applicant may be released on bail.

4. Learned State counsel and counsel for the objector opposes the prayer for grant of bail.

5. Perusal of the charge sheet would show that no seizure of any video has been made. Medical report also of positive opinion has been stated. Considering the same, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE