

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8464 of 2021

Domendra Kumar @ Bablu Sonkar, S/o. Late Nandgumar Sonkar, Aged About 26 Years, R/o. Ward No.07, Gunderdehi, Police Station Gunderdehi, District Balod, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Gunderdehi, District Balod, Chhattisgarh.

---- Respondent

For Applicant : Mr. Avinash Chand Sahu, Advocate

For Respondent : Mr. Anshuman Shrivastava, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.12.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.117/2021 registered at Police Station- Gunderdehi, District Balod, for the offence punishable under Section 363, 366, 376(2)(ढ) of Indian Penal Code and 5(ढ), 6 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was made by the father of the victim that her minor daughter was enticed away by the present applicant and she was subjected to forceful sexual intercourse; thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and no offence has been committed. He further submits that the applicant and victim were in love relation, which was not accepted by the family members, therefore,

the report was made. He therefore prays that the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. The father of the victim Chhotelal Dewangan and her daughter/ victim are present through video conference and on specific query they would submit that bail be granted to the applicant.
6. Considering the background of the case and statement of the victim and the fact that they have not objected to grant bail to the applicant, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge