

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8931 of 2021**

Prateek Ram S/o Maneeram Aged About 19 Years Caste Dom, R/o
Village Gharjiyabathan Indra Nagar, Police Station Patthalgaon,
District Jashpur Chhattisgarh. --- **Applicant**

Versus

State of Chhattisgarh through the Station House Officer Police of
Police Station Kansabel, District Jashpur Chhattisgarh.-- **Respondent**

For the applicant	:	Mr. Sanjeev Kumar Sahu, Advocate.
For the Respondent	:	Mr. Ashutosh Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****15.12.2021**

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. 95/2021 registered at Police Station Kansabel, District Jashpur (P.S. Pathalgaon has wrongly been mentioned in Order sheet) for the offences punishable under Sections 343, 363, 366(A), 365, 368, 376(2)(n) of IPC and section 5(ii) read with section 6 of the POCSO Act.
2. As per the prosecution case, in between 23.11.2020 and 25.11.2020, the applicant knowing well that the victim was minor committed forcible sexual intercourse with her on the pretext of marriage and she became pregnant, 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 in the

alternative it would show that there was love affairs between the applicant and victim, therefore, the applicant may be enlarged on bail. He further submits that the victim was also present on 08.12.2021 before this Court through the video conferencing and stated that she has no objection for grant of bail.

4. Per contra, learned State Counsel opposes the bail application.
 5. Perused the statement of victim recorded before the court below, which shows that the prosecutrix has been examined as P.W.2 and she has not supported the case of prosecution and further before this Court too, she has stated that the applicant may be enlarged on bail. Having considered such statements of victim, without going into the 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**