

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9031 of 2021**

Arjun Prajapati @ Arjun Pande S/o Shri Shivpati Prajapati Aged About
22 Years R/o Village- Latori Near High School Lakhanpur, Police
Station Lakhanpur, District- Surguja, Chhattisgarh --- **Applicant**

Versus

State of Chhattisgarh through- Station House Officer, Police Station,
Kotwali, Ambikapur District- Surguja, Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Amit Kumar Chaki, Advocate.
For the Respondent	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****16.12.2021**

1. This is third 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. 65 of 2020 registered at Police Station Ambikapur, District Sarguja (C.G) for the offences punishable under Sections 363, 366, 376(2) (n) of IPC and Sections 5 & 6 of the POCSO Act.
2. As per the prosecution case, a report was lodged that the applicant knowing fully well that the victim is minor allured her to marry and thereafter many times committed forcible sexual intercourse with her.
3. Learned counsel for the applicant would submit that the victim alongwith her parents has been examined before the trial Court and she has not supported the case of prosecution and further the father and mother have also not supported the case of prosecution and they have completely disowned the incident. He further submits that the charge sheet has

been filed and the applicant is in jail since 17.03.2020, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. On 10.12.2021, the father of the girl appeared through the video conferencing from DLSA Ambikapur and submitted that bail may be granted to the applicant.
6. Perused the statements of victim and her parents recorded before the court below which prima facie shows that they have not supported the case of prosecution and have completed disowned the incident and further before this Court too on 10.12.2021, the father of victim also stated no objection to grant of bail. Having considered the statements of prosecutrix and her parents and further the non-objection made by the father of the victim, 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**