

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9044 of 2021**

Dhanraj Dhritlahre S/o Jagmohan Dhritlahre, Aged About 18 Years R/o Village Navagaon, Khudmudi, PS and District Bemetara Chhattisgarh. --- **Applicant**

Versus

State of Chhattisgarh through Police Station Bemetara, District Bemetara Chhattisgarh. --- **Respondent**

For the applicant : Mr. Hariom Rai & Mr. Amarnath, Advocates.
For the Respondent : Mr. Raghavendra Verma, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****09.12.2021**

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. 614/2021 registered at Police Station Bemetara, District Bemetara (C.G) for the offences punishable under Sections 363, 366, 376(2)(j)(n), 376(3) of IPC and sections 5 & 6 of the POCSO Act.
2. As per the prosecution case, on 23.08.2021, the victim was enticed away from the lawful custody of her parents and subsequently she was found in the company of the present applicant and was recovered from his house on 06.04.2021. Having enquired, it was revealed that she was subjected to forcible sexual intercourse and she being minor, the offence is committed.
3. Learned counsel for the applicant submits that the prosecutrix has been examined before the court below and

she has completely disowned the happening of incident. The victim along with her father Raju Mandavi is also present before this Court and submits that the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the the statement of victim recorded before the court below which shows that she has completely disowned the incident and further before this Court also, she has stated that the applicant may be enlarged on bail. Considering the statements of prosecutrix, 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**