

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2660 of 2017**

- Sunil Kumar @ Bablu Soni S/o Ram Prasad Soni, Aged About 27 Years Caste Sonar, R/o Karkoli, Police Station Bhatgaon, District-Surajpur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Sonhat, District Korea Chhattisgarh

---- Respondent

For the Applicant : Shri Jitendra Pali, Advocate.

For the Respondent/State : Shri Anant Bajpai, Panel Lawyer.

Hon'ble the Vacation Judge**Order on board****31/05/2017**

1. The applicant has filed this application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with Crime No.20/2017, registered at Police Station-Sonhat, District-Korea(C.G.), for the offence punishable under Sections 363, 366 and 376 (2)(h)(m) of the Indian Penal Code (for short 'IPC') and 4, 5(k)(l), 6, 9, & 10 of Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act'). Applications for bail have been rejected by the Courts below.
2. Learned counsel for the applicant submits that the applicant and prosecutrix belonged to the same caste and they were betrothed to each other. Prosecutrix has left her paternal home without giving any information. Fearing the social stigma, her father has lodged a false report against the applicant. It is also submitted that prosecutrix has not given any statement against the applicant. Hence, he is entitled for bail. Further he is submitted that applicant has not committed any offence, he has been falsely implicated in the crime in question and he is in custody from 09.03.2017.
3. On the other hand, learned State counsel opposes the bail application.

4. I have heard learned counsel for the parties and perused the case diary. Statement under Section 164 of Cr.P.C. has been recorded of the prosecutrix in which her age is recorded 19 years.
5. Looking to the contents of the statement, it appears that present is a fit case to enlarge the applicant on regular bail. Accordingly, bail application is allowed. The applicant is directed to be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- with one solvent surety in the like amount to the satisfaction of the Court below concerned for his regular appearance before it, as & when directed.
6. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Vacation Judge

Nisha