

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3090 of 2015

- Kiran Basod s/o. Anand Basod, aged about 19 years, r/o. Village Netnaagar, Raigarh, Tahsil and District Raigarh (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station, Kotwali (OP. Jutmil), District Raigarh (CG).

---- Respondent

For Applicant	:	Mr. Rajendra Tripathi, Advocate.
For Respondent/State	:	Mr. Neeraj Pradhan, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

6/7/2015

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 27-3-2015 in connection with Crime No. 74 of 2015 registered at Police Station Kotwali (OP. Jutmil), Raigarh (CG) for the offence punishable under Sections 363, 366, 376 of IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. The case of the prosecution, in brief, is that the applicant abducted the prosecutrix who is a minor girl and committed sexual intercourse with her against her will and thereby he committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that the present has not committed any offence and he has been falsely implicated in the case, nothing has been seized from the possession of the applicant. He would further submit that charge-sheet has been filed and the applicant and is in jail since 27-3-2015, therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposing the bail application would submit that the prosecutrix was a minor on the date of incident and there is sufficient evidence to connect the applicant with the crime in question.

5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, the manner in which the aforesaid offence is said to have been committed, the material collected by the prosecution and considering the age of the prosuctrix, I am not inclined to grant bail to the applicant.
7. Accordingly, the instant bail application is liable to be and is hereby rejected.

Sd/
(Sanjay K. Agrawal)
Judge

Raju