

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5886 of 2015

- Indrajeet Thakur S/O Mudhar Thakur Aged About 35 Years Caste Chatree, R/O Village Mohpur, Police Thana Kanker, Rev. And Civil Distt. U.B. Kanker Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kanker,distt. U.B. Kanker Chhattisgarh.

---- **Respondent**

For the applicant	:	Mr. Sanjeev Sahu, Advocate
For the Respondent	:	Mr. Ashok Swarnkar, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 289/2015 registered at P.S. Kanker, District Uttar Baster Kanker (C.G) for the offence punishable under Section 377/511, 506(B) of IPC and sections, 3, 6, 21(2) of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, the applicant who is working the Kendriya Vidyalay committed unnatural intercourse with a boy who was a student of aged about 7 years. Thereafter, on report having been made the matter is being investigated and the applicant has been arrested.
3. Learned counsel for the applicant submits that the other co-accused Kamal Prasad Patade has been enlarged on bail in M.Cr.C.No.4693 of 2015 on 09.09.2015 and therefore the applicant may also be released on bail.
4. Per contra, learned State Counsel opposes the bail application.

5. I have gone through the bail order of other co-accused Kamal Prasad Patre, the allegation against whom is that he being the Principal of the School did not report the offence to the police whereas the primary allegations are levelled against this applicant. The statement of the victim who was aged about 7 years is enclosed with the diary. The statement under Section 164 Cr.P.C., would show that categorical averments have been made regarding commission of crime.
6. Consequently, considering the manner in which the offence is committed that too by a school clerk with a student of tender age of 7 years, I am not inclined to allow this bail application. Application is rejected.

Sd/-
GOUTAM BHADURI
JUDGE

Rao