

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7143 of 2015

Hasan Ansari, S/o Mohd. Ashiq Ansari, Aged About 22 Years, Caste Muslim, R/o Kunkuri (Benderbhadra), P.S. & Tahsil Kunkuri, Distt. Jashpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Out Post Kotba, P.S. Bagbahar, Distt. Jashpur, Chhattisgarh

---- Respondent

For Applicant : Mr. J.K.Saxena, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.101/2015, registered at Out Post- Kotba, Police Station- Bagbahar, District Jashpur (C.G.) for the offence punishable under Sections 363, 366(A), 376 of Indian Penal Code and Section 3 & 4 of Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, in brief, a report was made by the victim who was a minor aged about 16 years was enticed by the applicant and went to different places and thereafter committed sexual intercourse.
3. Learned counsel for the applicant submits that the victim and the applicant were in relation with each other and the girl went alongwith the applicant on various places and relation cannot be sustained against the applicant; therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. I have gone through the statement of the victim recorded under Section 161 and 164 of Cr.P.C., the statements have supported the case of the prosecution; therefore, taking into consideration the statement of the victim/prosecutrix, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge