

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. NO. 2998 of 2015**

Onkar Gandharva son of Shatrughan Gandharva aged about 21 years R/o village Biranpur Khurd, P.S. Gandai Tahsil Chhuikhadan District Rajnandgaon (C.G.)

---Applicant

Versus

State of Chhattisgarh through Station House Officer P.S. Gandai District Rajnandgaon (C.G.)

---Non-applicant

For Applicant	:	Mr. Chandra Bhushan Kesharwani, Advocate
For Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/07/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 45/2015, registered at Police Station Gandai, District Rajnandgaon, C.G., for the offence punishable under Sections 363, 366(A), 376 of I.P.C. and Section 6 of Protection of Children for Sexual Offences Act.

2. Case of the prosecution, in brief, is that, present applicant is said to have kidnapped the prosecutrix on the pretext of marriage and committed sexual intercourse with her, who was minor on the date of offence.

3. After hearing learned counsel appearing for the parties; taking into consideration the nature and gravity of offence; material collected by the prosecution against the applicant particularly, age of the prosecutrix, who is said to have aged about 15 years on the date of offence, this Court is not

inclined to release the applicant on regular bail.

4. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

5. Certified copy as per rules.

**Sd/-
(Sanjay K. Agrawal)
JUDGE**

Tiwari