

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3719 of 2015**

- Vikas Dhimar, son of Budhram Dhimar, aged about 18 years, resident of village Dhanora, P.S. Utai, District Durg (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through- District Magistrate Durg, District – Durg (C.G.)

---- Non-applicant

For Applicant: Mr. S.K. Guha, Advocate.
 For Respondent/State: Mr. Qamrul Aziz, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 40/2015 registered at Police Station – Utai, Civil & Revenue District Durg (C.G.) for the offences punishable under Sections 376 & 342 of the Indian Penal Code & Section 3(1)(xii) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act with Section 4 of the Protection of Children from Sexual Offences Act.

(2) Case of the prosecution, in brief, is that applicant committed sexual intercourse with the minor prosecutrix against

her will knowing fully well that she is a member of Scheduled Caste and thereby committed the aforesaid offences.

(3) After hearing learned counsel appearing for the parties and taking into consideration the facts & circumstances of the case; further considering the age of the prosecutrix, who is said to be the minor on the date of offence and she is member of Scheduled Caste, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-