

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.682 of 2016

Madan Joshi, S/o Shri Jagdish Joshi, aged about 28 years, R/o Village Biladi, P.S. Nevra, Distt. Raipur, Civil and Revenue Distt. Raipur (C.G.) (As per charge sheet)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, P.S. Nevra, Distt. Raipur (C.G.)

---- Non-applicant

For Applicant:	Mr. Goutam Khetrapal, Advocate.
For Non-applicant:	Mr. Dheeraj Kumar Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

29/02/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.191/2015, registered at Police Station Nevra, Distt. Raipur for the offence punishable under Sections 363, 366, 376 of the IPC; 4 and 17 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant abducted the minor prosecutrix and committed sexual intercourse with her and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime. The applicant is in jail since 31-7-2015 and charge-sheet has been filed.
4. On the other hand, learned State counsel opposes the application.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, age of the prosecutrix who is said to be minor on the date of offence and the applicant is said to be a married person, I am not inclined to grant bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma