

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1186 of 2016**

Tinku Khan @ Kaunen Ansari, S/o Mahmood Ansari, aged about 21 years, R/o village Vidul, PS Duddi, Dist.Sonbadra (Uttar Pradesh)

---Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Darima, Dist. Sarguja (CG)

---Non-applicant

For Applicant	:	Mr. Jitendra Shrivastava, Advocate
For Non-applicant	:	Mr. Aditya Shrama, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

14/03/2016

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.86/2015, registered at Police Station-Darima, District-Sarguja (CG), for the offence punishable under Sections 363, 366 & 376 of the IPC, Sections 3 (2) (V) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 4 of the POSCO Act.

2. Case of the prosecution, in brief, is that the applicant kidnapped the minor prosecutrix and committed sexual intercourse with her on the pretext of marriage and thereby committed the offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that father of the

prosecutrix has been examined stating the age of the prosecutrix to be 18 years.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant, age of the prosecutrix who is said to be 15 years on the date of commission of offence, I do not find any ground for grant of regular bail to the applicant. Consequently, bail application is rejected. However, the trial Court is directed to expedite the trial and conclude the same as early as possible.

7. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-