

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1475 OF 2016**

Rajkumar Sahu aged about 20 years son of Nanhu Ram Sahu R/o village Koushalpur P.S. Bhatapara District Baloda Bazar Bhatapara (C.G.) at present Singh Transport Bhatagaon P.S. Purani Basti Raipur Tahsil and District Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through the Station House Officer Police Station Purani Basti District Raipur (C.G.).

---Non-applicant

For Applicant	:	Mr. Santosh Sahu, Advocate
For-Non-applicant	:	Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16/03/2016**

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. 186/2015, registered at Police Station Purani Basti, District Raipur (C.G.), for the offence

punishable under Sections 376, 506B of I.P.C. & Sections 3 and 4 of Protection of Children from Sexual Offence Act, 2012.

2. Case of the prosecution, in brief, is that, applicant is said to have committed sexual intercourse with the minor prosecutrix and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that prosecutrix examined before the Court and she is not supported the case of the prosecution. He would further submit that applicant is in jail since 17/07/2015, therefore, he may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that prosecutrix has supported the case of the prosecution.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; age of the prosecutrix and the fact that she is minor on the date of offence, this Court is not inclined to release the applicant on regular bail.

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

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge