

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1674 of 2016**

Holi Ram Chhura S/o. Rohit Chhura, aged about : 23 years, R/o. Transport Nagar. Rawabhata, Near Bhartiya State Bank, Police Station : Khamtarai, District : Raipur (CG)

---Applicant

Versus

State of Chhattisgarh, Through Police Station : Civil Line, Raipur, District Raipur (CG)

---Non-applicant

For Applicant	:	Mr. P.K.Patel, Advocate
For Non-applicant	:	Mr. Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

17/03/2016

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.592/2015, registered at Police Station-Civil Lines, Raipur, District-Raipur (CG), for the offence punishable under Sections 363, 366 and 376 of the IPC and Sections 3, 4 and 6 of the POSCO Act.

2. Case of the prosecution, in brief, is that the applicant kidnapped the minor prosecutrix on 29.9.2015 and thereafter committed forcible sexual intercourse with her.

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 false case has been registered against the present applicant, he is in jail since 5.10.2015 and charge-sheet has been filed.

4. On the other hand, learned State counsel 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 nature and gravity of the offence, facts and circumstances of the case, age of the prosecutrix, who is said to be minor i.e. 16 years on the date of commission of offence and material collected by the prosecution against the present applicant, I do not find any ground for grant of bail to the applicant. Consequently, bail application is rejected.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-