

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4002 of 2016

1. Ramkripal Paikra, S/o Shri Ramsai Paikra Aged About 25 Years
R/o Village Raiasana Para, Police Out Post - Kranji, P.S. -
Vishrampur, District Surajpur Chhattisgarh.
2. Shiv Prasad Paikra S/o Karamnath Paikra Aged About 24
Years R/o Village Raiasana Para, Police Out Post - Kranji, P.S. -
Vishrampur, District Surajpur Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh through Police Station Jhilmili, District
Surajpur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sandeep Yadav, Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 24 of 2016 registered at P.S. Jhilmili, Distt. Surajpur (C.G) for the offence punishable under Section 363, 366, 376-B, 511, 34 of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, on 05.03.2016 the victim who is a minor girl of 10 years went to attend a marriage in the neighborhood. At that time the applicants along-with other co-accused came on motorcycle and forcibly took the girl to village Bhaiyathana where they purchased fruits, clothes, bangles in shop and gave her and while coming back, on the way they stopped the motorcycle and tried to commit rape and the girl somehow or the other escaped.

3. Learned counsel for the applicant submits that the boys have not committed any rape and only the girl and the boys went to a place which has been misinterpreted and false report has been made.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of the girl aged about 10 years.
6. Taking into such statement and the age of the girl, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE