

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5667 of 2016

- Chetan Banjare S/o Tularam Banjare, Aged About 20 Years
R/o Village Kahrodh, P.S. Kashdol, District Baloda Bazar,
Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through Police Station Palari, District
Baloda Bazar, Chhattisgarh --- **Respondent**

For the applicant	: Mr. Sanjeev Das, Advocate
For the Respondent	: Mr. Anil S. Pandey, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.09.2016

1. This is first bail application filed under Section 438 of the Code of Criminal Procedure seeking grant of anticipatory bail to the applicant in connection with Crime No. 231 of 2016 registered at P.S. Palari, Distt. Baloda Bazar (C.G) for the offence punishable u/ss 363, 366, 376 of IPC & Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution case, a report was lodged by Budhyarin Banjare that the applicant has enticed the minor girl and took her away from the lawful custody of parents on the pretext of marriage and thereafter committed forcible sexual intercourse. Subsequently the girl was recovered from the possession of the applicant on 11.06.2016 and on enquiry it was revealed that the applicant allured and took away the girl and established physical relations, thereby the offence is committed.
3. Learned counsel for the applicant would submit that the victim girl and the applicant were in love relations and they have performed marriage and the applicant has been falsely

implicated in this case, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of the girl under sections 161 & 164 of the Code of Criminal Procedure.
6. Considering such statements of the girl, I am not inclined to allow the bail application. Accordingly, it is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**

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