

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7595 of 2015

Sadupat @ Lala, S/o. Panchu Bhaina, Aged About 21 Years, R/o. Tikrakala, P.S. Gourela, Distt. Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Gourela, Distt. Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Yogendra Chaturvedi, Advocate

For Respondent : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/01/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.69/2015 registered at Police Station- Gourela, District Bilaspur (C.G.) for the offence punishable under Section 354 (क) of Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that a report was made that the applicant took away the minor girl who was aged about 8 years to a certain place in his cycle and thereafter tried to commit rape and outrage the modesty of the girl.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case only on the statement of the victim and there is no other eye-witness. He further submits that

the applicant is in jail since 09.03.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perused the statement of the victim under Section 161, which shows that positive statement has been made which are of grave nature, therefore, considering the age of the victim i.e. 8 years and the way the offence has been committed, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Goutam Bhaduri)
Judge