

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.185 of 2016

Pravin Tandi, S/o Raju Tandi, aged about 19 years, R/o Jalpara,
Raipur Naka, Durg, Distt. Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through District Magistrate, Civil and
Revenue Distt. Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. Amiyakant Tiwari, Advocate.
For Non-applicant:	Mr. Ajit Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

01/02/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.321/2015, registered at Police Station Bhilai Nagar, Distt. Durg, for the offence punishable under Sections 376, 363, 366 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 30-8-2015, the applicant abducted/kidnapped a minor prosecutrix aged about 17 years and committed sexual intercourse with her and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the crime. The prosecutrix was in the company of the applicant for fairly long time and they were residing as husband and wife. The applicant is in custody since 10-9-2015. Charge-sheet has been

filed and no useful purpose will be served by keeping the applicant in jail.

4. On the other hand, learned State counsel would oppose the application and would submit that the prosecutrix was minor on the date of offence.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, material collected by the prosecution, age of the prosecutrix and role of the applicant, I do not consider it a fit case for grant of bail to the applicant. The application is, therefore, rejected. However, the trial Court is directed to expedite the trial and conclude the same as early as possible.

Sd/-
(Sanjay K. Agrawal)
Judge