

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 703 OF 2016**

Ajay Kumar Chouhan, S/o Kedarnath Chouhan, aged about 27 years, Caste Chik, R/o Vill Jharmuda, Thana- Tumla, District Jashpur (C.G.) civil and revenue district Jashpur, Distt. Jashpur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Tumla, Distt. Jashpur (C.G.)

---Non-applicant

For Applicant	:	Mr. Manoj Chauhan, Advocate.
For-Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****23/02/2016**

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. 83/2015, registered at Police Station Tumla, District Jashpur (C.G.), for the offence punishable under Sections 354(A), 506 Part-2, 323, 376 of I.P.C. & 3, 4 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that, on 03/10/2015 applicant committed sexual intercourse with the minor prosecutrix and also injured her and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that applicant is in jail since 07/10/2015

and no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; the manner, in which, offence is said to have been committed and on the date of offence prosecutrix was minor, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE