

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2031 OF 2016**

Nandkumar Singh @ Nandu S/o Vidya Sagar Singh, aged about 21 years, R/o Village Bahsupra, Police Station Ramchandrapur District Surguja, Revenue District Balrampur-Ramanujganj (C.G.)

---Applicant**Versus**

The State of Chhattisgarh, Through Police Station Ramchandrapur, District Balrampur Ramanujganj (C.G.)

---Non-applicant

For Applicant	:	Mr. A.K. Prasad, Advocate
For-Non-applicant	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20/04/2016**

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. 37/2015, registered at Police Station Ramchandrapur, District Balrampur-Ramanujganj

(C.G.), for the offence punishable under Sections 376, 506 of the I.P.C. And Sections 4 & 6 of the Protection of Children From Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that, on 07/10/2015, the applicant committed sexual intercourse against the will of the minor prosecutrix and has given threatening to her, if she will disclose the incident to her family members, he will kill her family members thereafter, the applicant committed sexual intercourse repeatedly, upon which the prosecutrix became pregnant.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that He would further submit that there is no medical evidence and no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed and applicant is in jail since 08/10/2015, therefore, he may be released on bail.

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

date of offence, prosecutrix was only aged about 15 years.

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; age of the prosecutrix who is said to be minor, aged about 15 years on the date of offence, 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. However, trial Court is directed to conclude the trial expeditiously.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge