

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.385 of 2016

1. Lebo Kashyap @ Love, S/o Singh Kashyap, aged about 19 years, Caste Muriya, R/o Bhatpal, Badepara 2, Thana Kotwali, Jagdalpur, Civil & Revenue District Bastar (C.G.)
2. Channu Maurya @ Golu, S/o Tularam Maurya, aged about 22 years, Caste Muriya, R/o Bhatpal, Thana Kotwali, Jagdalpur, Civil & Revenue District Bastar (C.G.)

---- Applicants

Versus

State of Chhattisgarh, through Station House Officer, Kotwali (City), Jagdalpur, Civil and Revenue District Bastar (C.G.)

---- Non-applicant

For Applicants:	Mr. Punit Ruparel, Advocate.
For Non-applicant:	Mr. Neeraj Kumar Sharma, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board02/02/2016

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.242/2015, registered at Police Station Kotwali (City), Jagdalpur, Distt. Bastar, for the offence punishable under Sections 363, 366, 376 of the IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 20-6-2015, the applicants kidnapped two minor prosecutrix and took them to Hyderabad and committed sexual intercourse with both of them, and thereby committed the offence.
3. Learned counsel for the applicants submits that the applicants have not committed any offence and they have been falsely implicated in

the case. In the statement recorded under Section 164 of the CrPC, both the girls have not supported the case of the prosecution and they have also been examined in the Court and they have not supported the case of the prosecution there also. The applicants are in jail since 26-7-2015.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, the fact that the applicants have kidnapped two minor girls, took them to Hyderabad and alleged to have committed sexual intercourse with both of them who are said to be minors, I am not inclined to grant bail to the applicants. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge