

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.570 of 2016

Munnuram, S/o Juna Pariha Urao, aged about 22 years, R/o Village Beljora, Patelpara, P.S. Sitapur, Distt. Surguja (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Police Station Sitapur, Distt. Surguja (C.G.)

---- Non-applicant

For Applicant:	Mr. Vineet Kumar Pandey, Advocate.
For Non-applicant:	Mr. Neeraj Kumar Sharma, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

22/02/2016

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.174/2015, registered at Police Station Sitapur, Distt. Surguja, for the offence punishable under Sections 363, 366, 376 (2) (a) of the IPC, Sections 5 (a) and 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant kidnapped minor prosecutrix and committed sexual intercourse with her on 28-7-2015.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. In court statement, the prosecutrix and her mother have not supported the case of the prosecution. The applicant is in jail since 29-9-2015 and charge-sheet has already been filed.

4. On the other hand, learned State counsel would oppose 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, role of the present applicant and age of the prosecutrix who is minor about 14 years of age on the date of alleged offence, I am not inclined to grant bail to the applicant. The application is, therefore, rejected. The trial Court is directed to expedite the trial and conclude the same as early as possible.

Sd/-
(Sanjay K. Agrawal)
Judge