

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1646 OF 2016**

Pit @ Pritam Tandi S/o Shri Bariha Tandi aged about 22 years R/o Rajiv Gandhi Nagar Police Station Telibandha District Raipur C.G.

---Applicant**Versus**

State of Chhattisgarh through Station House Officer Police Station Telibandha District Raipur C.G.

---Non-applicant

For Applicant	:	Mr. C.R. Sahu, Advocate,
For-Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/03/2016**

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. 342/2015, registered at Police Station Telibandha, District Raipur (C.G.), for the offence punishable under Sections 363, 366, 376 of the Indian

Penal Code and Sections 3 and 4 of Protection of Children from Sexual Offences Act.

2. Case of the prosecution, in brief, is that, applicant kidnapped the minor prosecutrix and on the pretext of marriage, committed sexual intercourse with 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 the case. He would further submit that applicant is already married with her. He would lastly submit that applicant is in jail since 15/02/2016, therefore, he may be released on bail.

4. 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 and age of

the prosecutrix, who is said to be minor 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.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge